
Fitzgerald Marine Reserve Master Plan

Draft Environmental Impact Report

November 10, 2003

Prepared for:
San Mateo County
CA

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Prepared for:
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Summary

A. Project Description

The Fitzgerald Marine Reserve Master Plan consists of four programs: Natural Resource Management, Visitor Management, Uses and Facilities, and Implementation. Key elements of the Master Plan include new visitor facilities at the Reserve and Pillar Point Marsh, maintenance of trails within the Reserve, monitoring of the health of the intertidal zone, and limits to the number of visitors to reduce the impacts caused by heavy use.

San Mateo County and the California Department of Fish and Game (CDFG) are joint custodians of the Reserve. The Reserve encompasses 402 acres, including 370 acres of intertidal and subtidal marine habitat below the mean high tide line, and 32 acres of upland coastal bluff and beach above the mean high tide line. Below mean high tide, the Reserve is within the jurisdiction of the Monterey Bay National Marine Sanctuary and the Gulf of Farallones National Marine Sanctuary. The CDFG has management responsibility in the Reserve below the mean high tide line.

In 1997, after Pillar Point Marsh was acquired for addition to the Reserve, the County determined that a Master Plan was needed to balance the education and resource preservation missions of the Reserve, to address problems of high levels of visitation on the intertidal reefs, and to integrate the Marsh into the Reserve. According to the Master Plan, the fundamental concept underlying the Master Plan is that protection of the outstanding natural resources of the Fitzgerald Marine Reserve will require a new approach to management of ecological systems and visitors in future years, and that the best way to accomplish this goal is to emphasize the sensitivity of the resource, to enhance the educational value of the Reserve, to manage visitation, and to limit use of the Reserve as a recreation destination.

The goals of the Master Plan were developed during the early public review process, and are, in order of priority:

1. Preserve and Enhance Natural Resources
2. Provide Educational and Interpretive Opportunities
3. Ensure Adequate and Well-Trained Staff
4. Improve Baseline Information
5. Improve Visitor Management
6. Improve Visitor Facilities
7. Minimize Impacts to Neighbors
8. Protect Cultural Resources
9. Provide Recreation Opportunities
10. Seek Funding Opportunities

B. Plan Consistency

The plan consistency section of this EIR evaluates the consistency of the Master Plan with the plans and policies of government agencies regulating land use in the project area. To determine project consistency, the policies in the Master Plan are compared to the adopted plans and policies of the land use agencies and the missions of the park and open space agencies. Since this is an existing County Park, administered by and under the jurisdiction of the County, the relevant local plans and policies are the San Mateo County Local Coastal Program, County Zoning Code, and the San Mateo County Trails Master Plan. State agencies addressed in this section with jurisdiction within the Reserve include the California Department

of Fish and Game, California State Water Resources Control Board, California Regional Water Quality Control Board (San Francisco Bay Region), California Coastal Commission, and California State Lands Commission. Federal agencies addressed in this section with jurisdiction within the Reserve include U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and National Marine Fisheries Service, Gulf of the Farallones National Marine Sanctuary, Monterey Bay National Marine Sanctuary, National Park Service - Golden Gate National Recreation Area, and U.S. Bureau of Land Management - California Coastal National Monument. There are no inconsistencies between the Master Plan and these applicable plans and policies of these agencies.

C. Environmental Assessment

Based on the NOP/Initial Study process (See Appendix A), the following issues were identified for further environmental analysis in this EIR: Biological Resources, Geology and Soils, Land Use and Planning, Recreation, and Transportation Traffic. Other environmental issues were determined to be less than significant with standard mitigation measures incorporated into the project. Mitigation incorporated into the project is described in detail in Section H of Chapter II. Project Description. Table S-1, below, provides a summary of the impacts and mitigation measures that are discussed in detail in Chapter IV. Environmental Assessment, in this EIR. The analysis in this EIR finds that all potential environmental effects of adoption of the Master Plan are less than significant or can be mitigated to less than significant through the implementation of mitigation measures. However, some aspects of the implementation program included in the Master Plan will require further refinement and definition before environmental analysis can be completed. For these aspects of the Master Plan, as noted in Chapter II. Project Description and Chapter III. Environmental Assessment, additional environmental analysis will be completed prior to implementation

Table S-1. Summary of Impacts and Mitigation Measures

Impact	Mitigation Measure	Significance of Impact After Mitigation Has Been Applied
BIOLOGICAL RESOURCES		
<p>Impact: The San Vicente Creek Restoration Plan, Habitat Management Plan for the Red-Legged Frog, and Water Quality Management Plan may include recommendations that could adversely affect special-status species and sensitive habitat.</p>	<p>Mitigation Measure BIO-1: This measure specifies components to be included in the preparation and implementation of the three plans defined in Recommended Implementation Actions #10, 11, and 12 (San Vicente Creek Restoration Plan, Habitat Management Plan for the California Red-Legged Frog, and Water Quality Management Plan). These three plans shall contain a resource assessment section and a plan implementation section, written by a qualified biologist. The biologist will survey for sensitive habitats and special-status species in the areas to be covered by each plan during the appropriate seasons for survey. The biologist will also assess the potential for impacts to sensitive species or habitats from actions included in each plan, and provide recommendations in the plan implementation section on how to meet the objectives of the plan while also avoiding or mitigating adverse impacts to sensitive habitats and special-status species. The San Vicente Creek Restoration Plan will determine the location of the proposed footbridge over the creek, and provide recommendations and measures for avoidance of adverse impacts specific to the footbridge. If any aspect of these plans has the potential to adversely affect listed species, the County shall consult with the appropriate agencies (e.g. CDFG or USFWS) to ensure that impacts will be avoided and mitigation is adequate.</p>	<p>Less than Significant</p>

Impact	Mitigation Measure	Significance of Impact After Mitigation Has Been Applied
<p>Impact: Project construction and tree removal could cause the loss of active raptor nests or young.</p>	<p>Mitigation Measure BIO-2: To avoid impacts to breeding raptors, pre-construction surveys for raptors shall be conducted and avoidance measures shall be implemented if necessary. No project activities that could cause raptor nest abandonment should occur prior to the surveys. The nesting season for raptors in the Bay Area extends from January through August. A qualified biologist shall conduct the surveys no more than 14 days prior to the initiation of construction activities during the early part of the breeding season (January through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). If any raptor nesting activity is discovered, tree removal should be postponed until the young have fledged. The biologist should contact the Department of Fish and Game to determine the extent of a construction-free buffer zone (typically 250 feet) to be established around the nest. No disturbance that could cause nest abandonment would occur within that buffer zone until the biologist has determined that all breeding activity has concluded for the season and young (if any) have fledged.</p>	<p>Less than Significant</p>
<p>Impact: Placement, use, and maintenance of existing and new trails could adversely impact special-status plant species.</p>	<p>Mitigation Measure BIO-3: The County shall implement San Mateo County Trails Plan Design Guidelines 1.10.1.2 Native Vegetation, 1.10.1.3 Barriers, 1.10.1.4 Biology, and 1.10.2.1 Sensitive Habitat. These Design Guidelines are listed below:</p> <p>D.G. 1.10.1.2 Native Vegetation. Existing native vegetation shall only be removed as necessary to accommodate the trail clearing width.</p> <p>D.G. 1.10.1.3 Barriers. Trail design shall include barriers to control trail use and prevent environmental damage. Barriers may include fences, vegetation, stiles, and/or fallen trees or branches.</p> <p>D.G. 1.10.1.4 Biology. Biological resource assessments shall be conducted as specific trail routes outside of urban areas are implemented. Assessments shall be conducted by a qualified biologist and will include surveys for sensitive habitats and special-status species in the appropriate seasons. These assessments shall include recommendations to align the trail to avoid impacts to sensitive habitats, special-status species, and heritage and significant trees. If any trail alignment may affect such resources, the County will consult with the appropriate agencies (e.g., the California Department of Fish and Game and the U.S. Fish and Wildlife Service, and National Marine Fisheries Service) to ensure that impacts will be avoided or mitigation is adequate. The report will also discuss the trail's consistency with relevant local and regional conservation and recovery plans. If mitigation is not feasible to a level of insignificance the trail should not be constructed at that location. Conflicts between trail alignment and resource protection shall be decided in the favor of resource protection.</p> <p>D.G. 1.10.2.1 Sensitive Habitat. To the maximum extent feasible, trail alignments shall avoid impacts to sensitive habitats, including habitats for special status plants and animals. Trail alignments shall be evaluated on a case-by-case basis by a professional biologist to identify impact avoidance measures or mitigation measures for biotic impacts. Consideration should be given to:</p> <ul style="list-style-type: none"> • Rerouting the trail • Periodic closures • Revegetation prescriptions including replacement vegetation based on habitat acreage or plant quantity • Buffer plantings • Discrete barrier fencing that accommodates wildlife passage • Other appropriate measures 	<p>Less than Significant</p>

Impact	Mitigation Measure	Significance of Impact After Mitigation Has Been Applied
<p>Impact: If plans for facilities included in the Master Plan are not in compliance with LCP policies that protect natural resources, adverse impacts to sensitive habitat at the Pillar Point Marsh and San Vicente Creek riparian corridor may occur.</p>	<p>Mitigation Measure BIO-4: When construction plans for the facilities included in the Master Plan are prepared, site constraints, including sensitive habitat shall be thoroughly considered, and the facilities shall be designed to comply with LCP policies that protect natural resources including sensitive habitat. Additional design features and Best Management Practices, such as berms between the riparian area and parking area, grading to direct runoff away from sensitive habitat, and surfacing with permeable materials, shall be used to ensure that riparian areas will not be adversely impacted.</p>	<p>Less than Significant</p>
<p>GEOLOGY AND SOILS</p>		
<p>Impact: The project area may experience shaking or other seismic hazard from a significant earthquake during the design life of the buildings.</p>	<p>Mitigation Measure GEO-1: Design and engineering of the Education Center shall comply with the specifications included in a site-specific geotechnical report provided by a qualified geotechnical consultant</p>	<p>Less than Significant</p>
<p>Impact: Structures included in the Reserve trail system may be subject to shaking or other seismic hazard from a significant earthquake.</p>	<p>Mitigation Measure GEO-2: The County shall implement San Mateo County Trails Plan Design Guidelines 1.13.1 Hazards and 1.13.3 Structures for the proposed footbridge over San Vicente Creek and all other structures associated with trails (e.g. stairways). These Design Guidelines are listed below:</p> <p>D.G.1.13.1 Hazards. Appropriate surveys shall be conducted as part of trail route site planning to identify the occurrence of any potentially hazardous geologic conditions. Such areas shall be avoided or necessary construction design measures shall be incorporated into the design of the trail to assure that:</p> <ul style="list-style-type: none"> • Users will not be exposed to the identified hazard • Trails would not contribute to increasing the degree or extent of instability • Drainage from the trail would be routed away from the instability <p>D.G. 1.13.3. Structures. Where structures are proposed, a geotechnical evaluation shall be conducted to identify engineering methods to reduce the potential for structural failure due to geological hazards.</p>	<p>Less than Significant</p>

Impact	Mitigation Measure	Significance of Impact After Mitigation Has Been Applied
<p>Impact: The informal trail system on the bluffs of the Reserve may be contributing to erosion.</p>	<p>Mitigation Measure GEO-3: The Master Plan includes the preparation of a Master Landscape and Trails plan, which will specify improvements to designated trails and restoration of informal trails causing resource damage. For all trail design, construction, and management proposed in the Master Plan, Design Guideline 3.7 as found in the San Mateo County Trails Plan shall be implemented in order to reduce erosion along new and existing trails to less than significant levels. All undesignated trails should be closed and repaired. Design Guideline 3.7 Grading and Drainage is as follows:</p> <p>D.G. 3.7.1 Extent of Grading. No large-scale grading shall be used for trail construction unless in conjunction with a development project where large-scale grading has been found acceptable. Trail designs shall conform to the County Excavating, Grading, Filling, and Clearing Ordinance.</p> <p>D.G. 3.7.2 Cut and Fill. The degree of cut allowed on a slope depends on the soil type, hardness, and surrounding natural resources. Ultimate cuts shall be contoured to blend with the natural slopes. Berms of earth, rocks or wood on the outside of the trail may be necessary. Steep areas shall be handled by limited terracing or building steps to avoid large-scale grading. Steps must be reinforced with stone or wood.</p> <p>D.G. 3.7.3 Soil Disturbance. In order to reduce erosion and maintenance problems, disturbance of the soil surface shall be kept to a minimum. Only those rocks, stumps and roots, which interfere with safe passage, shall be removed.</p> <p>D.G. 3.7.4 Drainage. Trail designs shall comply with the County Surface Runoff Management Plan. Surface water shall be diverted from trails by outsloping the trail tread between 1% and 3% where feasible. Where necessary, shallow ditches or water bars shall be used to divert water on running slopes greater than 5%. Other trail drainage techniques may include rolling dips, culverts, or ditches on sides of trails.</p> <p>D.G. 3.7.5 Erosion Control Plans. Where a potential for significant soil erosion exists along a new trail alignment, specific erosion control plans shall be prepared by a qualified professional. Criteria to be used in determining the erosion potential includes: slope, soil type, soil composition and permeability and the relative stability of the underlying geologic unit. The erosion control plans shall comply with erosion control policies in the San Mateo County General Plan and San Mateo County Local Coastal Program.</p>	<p>Less than Significant</p>

D. Alternatives

The assessment of alternatives to the proposed project in an EIR is intended to explore whether alternative actions, including no action, may reduce or eliminate significant environmental effects found for the proposed project. Under CEQA, an EIR must “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” (CEQA Guidelines Section 15126.6(a).)

The Master Plan process included the consideration of six alternatives to the proposed project, which considered the feasibility and effectiveness of various levels of management and facilities development. These were refined to three alternatives through review by the consultant team, Technical Advisory Committee, and the public. This EIR includes analysis of the two alternatives to the proposed project, the Cypress Avenue Alternative and the Pillar Point Alternative, along with the No Project Alternative as required by CEQA.

The three alternatives differ primarily in the location of the visitor facilities proposed in the Master Plan. The Moss Beach site included in the proposed project was selected as the best alternative because it: 1) would meet project objectives with the lowest level of environmental impact on natural resources; 2) would result in the lowest cost for infrastructure and upgrading of facilities; 3) would have the least impact on residents in the vicinity of the Reserve; and 4) would provide the best opportunities for management at the most impacted site. The Moss Beach (proposed project) Alternative would meet all of the goals of the project and is the environmentally superior alternative since it would not result in any significant environmental impacts.

E. CEQA Issues

Implementation of the Master Plan will not result in the consumption of significant amounts of non-renewable resources, nor would it have growth-inducing effects. The construction of facilities included in the proposed project will not result in an extension of public services to an area not currently served by these services, nor will it set a precedent for future development. Municipal sewer and storm sewer services, water services and all utilities are already serving other residences in the vicinity. All potentially significant impacts have been mitigated to a less than significant level with mitigation measures included in this EIR. The potential impacts are site-specific, and would not result in cumulative impacts.

I. Introduction

In 2002, San Mateo County prepared a new Master Plan for the James V. Fitzgerald Marine Reserve (“the Reserve”) on the north coast of San Mateo County. The Master Plan guides the use of the Reserve for education and recreation, and the preservation of the significant natural resources that provide the educational and recreational opportunities at the Reserve. It is intended to serve as the guidance document for managing and improving the Reserve over the next 20 years.

The purpose of this Environmental Impact Report (EIR) is to assess the impacts of the proposed Fitzgerald Marine Reserve Master Plan pursuant to the California Environmental Quality Act (CEQA). CEQA requires that all state and local governmental agencies consider the environmental consequences of projects over which they have discretionary authority. Approval of the Master Plan constitutes a “project” under CEQA. The County of San Mateo (“County”) is the lead agency for this project. This EIR will provide the County with the analysis required by CEQA to support its decision on the proposed project. This EIR has been prepared to identify potentially significant environmental impacts and mitigation measures that will reduce these effects to less than significant levels.

This EIR is a Program EIR that assesses environmental impacts that could occur as a result of adoption of the Master Plan. This EIR analyzes the broad environmental effects of the program with the acknowledgment that site-specific environmental review may be required for particular aspects of portions of the program when those aspects are proposed for implementation. Some aspects of the implementation program included in the Master Plan will require further refinement before environmental analysis can be completed. Prior to implementation, subsequent activities within the program will be evaluated to determine whether an additional CEQA document needs to be prepared. Since this EIR addresses the program's effects as specifically and comprehensively as possible, many subsequent activities could be found to be within the Program EIR scope and additional environmental documents would not be required.

The Master Plan proposes four programs: Natural Resource Management, Visitor Management, Uses and Facilities, and Implementation. Key elements of the Master Plan include new visitor facilities at the Reserve and Pillar Point Marsh, maintenance of trails within the Reserve, monitoring of the health of the intertidal zone, and limits to the number of visitors to reduce the impacts caused by heavy use.

Public outreach and community involvement have been a priority of the Master Plan's development. Between 1997 and 2001, 13 public meetings were held, and a Technical Advisory Committee met four times to direct and provide comments on the development of the Master Plan.

The mission of the Reserve is to preserve, protect, and interpret the resources within the Reserve for the people of the State of California. The Reserve is designated a Marine Life Refuge and an Area of Special Biological Significance by the State of California. The Reserve is an important educational resource for San Mateo County and surrounding areas, and education is a primary focus of its mission. Schools and other groups frequently visit the Reserve to learn about the coastal environment and intertidal ecology. Many visitors also visit the reefs recreationally; on weekends during low tides, the Reserve may receive more than 2,000 recreational visitors per day.

San Mateo County and the California Department of Fish and Game (CDFG) are joint custodians of the Reserve. The Reserve encompasses 402 acres, including 370 acres of intertidal and subtidal marine habitat below the mean high tide line, and 32 acres of upland

coastal bluff and beach above the mean high tide line. Below mean high tide, the Reserve is within the jurisdiction of the Monterey Bay National Marine Sanctuary and the Gulf of Farallones National Marine Sanctuary. The CDFG has management responsibility in the Reserve below the mean high tide line.

Specific actions as set forth in the Master Plan may be subject to additional permitting requirements beyond adoption of the Master Plan. Construction of the Education Center and improvements to the parking area at Pillar Point Marsh would require a Coastal Development Permit from the California Coastal Commission. Once trail alignments are determined, new trail development would also require a Coastal Development Permit. Implementation of the San Vicente Creek restoration plan, including construction of the footbridge over San Vicente Creek and removal of fill from the streambed, may require a Section 1601 Streambed Alteration Agreement from the CDFG and a Clean Water Act Section 404 permit from the US Army Corps of Engineers. Changing the status of the Reserve from Marine Life Refuge to Marine Life Reserve and any resulting restrictions on access or fishing activities would require the approval of several entities, including the County Park and Recreation Commission, the County Board of Supervisors, and CDFG.

A. Environmental Issues

The Notice of Preparation (NOP) was mailed to various agencies and interested community members on June 16, 2003. A public scoping meeting was held on June 25, 2003 at the Half Moon Bay Community Center. The following issues were either identified in the Initial Study/NOP or are from the responses/comments of the NOP. They will be the subject of the environmental analysis contained in this EIR. The NOP and NOP comments are attached as Appendix A.

- A. Biological Resources
- B. Geology/Soils
- C. Land Use/Planning
- D. Recreation
- E. Transportation/Traffic

1. Issues Found Not to Have Potential Environmental Impacts

As part of the NOP process, the following issues were found not to have potential environmental impacts. In addition, noise was identified in the Initial Study as an area with potentially significant impacts, but has been determined to be less than significant in this EIR with standard mitigation measures incorporated into the project. A complete listing of the issues found not to have potential impacts is below:

- 1. Aesthetics
- 2. Agricultural Resources
- 3. Air Quality
- 4. Cultural Resources
- 5. Hazards and Hazardous Materials
- 6. Hydrology/Water Quality
- 7. Noise
- 8. Mineral Resources
- 9. Population/Housing
- 10. Public Services
- 11. Utilities/Service Systems

Where applicable, additional information supporting the finding that the project would not result in significant impacts in these areas is found in Chapter II, Project Description, Section H. Mitigation Incorporated into the Project (Page II-25).

B. Report Organization

Following this Introduction (Section I):

- **Section II** describes the project location, environmental setting, and elements of the proposed project, including best management practices to avoid, minimize, or reduce impacts to a less than significant level.
- **Section III** describes the relevant plans, policies and ordinances of the agencies that have jurisdiction over the project site and presents an analysis of consistency with these plans.
- **Section IV** describes the environmental effects of the proposed project, and includes a discussion of the existing conditions, the standards of significance applied, and the impacts based on analyzing the proposed project with these standards of significance.

The topics covered in Section IV are those that were identified in the Initial Study Checklist as having potentially significant environmental effects, and consist of Biological Resources, Geology/Soils, Land Use/Planning, Recreation, and Transportation/Traffic. This section also contains any mitigation measures that will reduce stated impacts to less than significant levels.

- **Section V** presents a listing and analysis of the alternatives that the County has determined meet the requirements of CEQA.
- **Section VI** presents the CEQA questions asked in the Mandatory Findings of Significance section of the Initial Study Checklist, and includes subsections on Significant Irreversible Environmental Impacts, Growth-Inducing Impacts, Effects Not Found to be Significant, and Cumulative Effects.
- **Section VII** lists persons who contributed to the preparation of this document and lists references used in the preparation of this document.

II. Project Description

The Master Plan guides the use of the Reserve for education and recreation, and the preservation of the significant natural resources that provide the educational and recreational opportunities at the Reserve. The following information contained in this chapter describes the project in detail and is mostly excerpted from the Master Plan.

A. Project Background

The shoreline and reefs within the Fitzgerald Marine Reserve have drawn marine biologists, educators, preservationists, and collectors for many years. Moss Beach was used extensively as a resort and food source since 1908 when the Ocean Shore Railroad was extended into the area. In 1969 the Governor designated the Fitzgerald Marine Reserve, intended to constitute a “marine life refuge,” in response to the area’s popularity and depletion of its resources. Since that time, the Reserve has been managed for purposes as varied as education, research, recreation, collecting, and fishing.

In 1993, the peak year for visitation recorded by Reserve staff, more than 135,000 people visited the Reserve. The Reserve is currently open to the public from sunrise to sunset, and access to the reef is not restricted, except for groups of 20 or more who are required to make reservations. The high number of visitors to the Reserve has led to significant deterioration of the intertidal zone resources and has jeopardized the future ability of the Reserve to fulfill its mission. Scientists familiar with the Reserve believe that many groups of marine organisms are greatly under-represented or missing altogether from the intertidal biota of the Moss Beach Reef, in the northern part of the Reserve. It has become clear that unrestricted visitor use is not feasible if a balance between the health and the use of the resources is to be maintained. The Master Plan is intended to restore that balance.

The 1999 passage of Assembly Bill 993, the Marine Life Protection Act, by the State Legislature has the potential to further strengthen protection of the Reserve’s resources. AB 993 outlined a program for the California Department of Fish and Game (CDFG) to reexamine and redefine the state’s current marine protected areas (MPA) system. In AB 993, the Legislature noted that “despite the demonstrated value of marine life reserves, only 14 of the 220,000 square miles of combined state and federal ocean waters off California, or six-thousandths of 1 percent, are set aside as genuine no take areas” (CDFG Code, Section 2851(g)). Changes to the MPA system will establish and designate Marine Life Reserves (MLR), MPAs “in which all extractive activities including the taking of marine species, and, at the discretion of the commission and within the authority of the commission, other activities that upset the natural ecological functions of the area, are prohibited. While, to the extent feasible, the [areas] shall be open to the public for managed enjoyment and study, the [areas] shall be maintained to the extent practicable in an undisturbed and unpolluted state” (CDFG Code, Section 2852(d)).

Another goal of the Marine Life Protection Act is to simplify the classification system for Marine Managed Areas from 18 classes to six classes. Under the proposed system, if no additional restrictions are proposed for the Fitzgerald Marine Reserve, it would default from a Marine Life Refuge to a State Marine Conservation Area (CDFG, 2002). This change would be nominal only and would not affect restrictions on activities. However, since the bill also specifies a process for examination of the Marine Managed Area system and designation of Marine Life Reserves, it is possible that Fitzgerald Marine Reserve may be reclassified and restrictions may be changed as part of this process.

B. Location and Environmental Setting

The project's regional location is shown in Figure II-1. Adjacent to the southern boundary of the town of Moss Beach, the Reserve is approximately seven miles north of Half Moon Bay and 15 miles south of San Francisco via Highway 1. The Reserve extends three miles south from Point Montara to the south end of Pillar Point and 1,000 feet west into the ocean from the mean high tide line. The Reserve includes 370 acres of intertidal and subtidal marine habitat below the high tide line and 32 acres of upland coastal bluffs with elevations up to 100 feet. The intertidal zone, which contains rocky reefs at sea level and pocket beaches, has been renowned for its richness and diversity of species. Accessible at low tide, the reefs receive high levels of use because of their close proximity to the San Francisco Bay Area's dense population centers. The reefs within the Reserve form ten distinct areas, but are generally referred to as Moss Beach Reef to the north and Frenchman's Reef to the south (Figure II-2).

The northern uplands area of the Reserve is distinguished by a grove of Monterey cypress, originally planted as a wind break (Figure II-2). To the north and south of this grove, the Reserve is a broad band of shoreline with intermittent beaches and coastal bluffs. A small visitor center/office and a parking area are located on North Lake Street within the Moss Beach neighborhood, adjacent to the Moss Beach reef. The parking area can accommodate 42 cars; an unpaved parking overflow area can accommodate 20 cars or eight buses. The visitor center, a 200 square-foot building, serves as an office and interpretive center. Restroom facilities, with a total of four stalls, and picnic tables are set in a grove of Monterey cypress trees. San Vicente Creek flows to the Pacific Ocean through the Reserve, flowing northwest between North Lake Street and the main cypress grove. Some riparian vegetation is associated with San Vicente Creek.

The 41-acre Marsh is located at the south end of the Reserve, separated from the rest of the Reserve by Pillar Point Ridge (Figure II-2). The Marsh is bordered on the south by the community of Princeton and Pillar Point Harbor, and on the west by the U.S. Air Force radar station and an undeveloped 22-acre parcel of private land. West Point Avenue crosses the Marsh, providing access to the tracking station and Harbor District's parking lot, which receives a high level of use from surfers and other recreationists. Pillar Point Marsh is one of the largest wetland/riparian areas along the San Mateo County coast. In addition to supporting a wide variety of plant and animal species, the Marsh functions as a water purifier and sediment basin.

Figure II-1. Regional Location

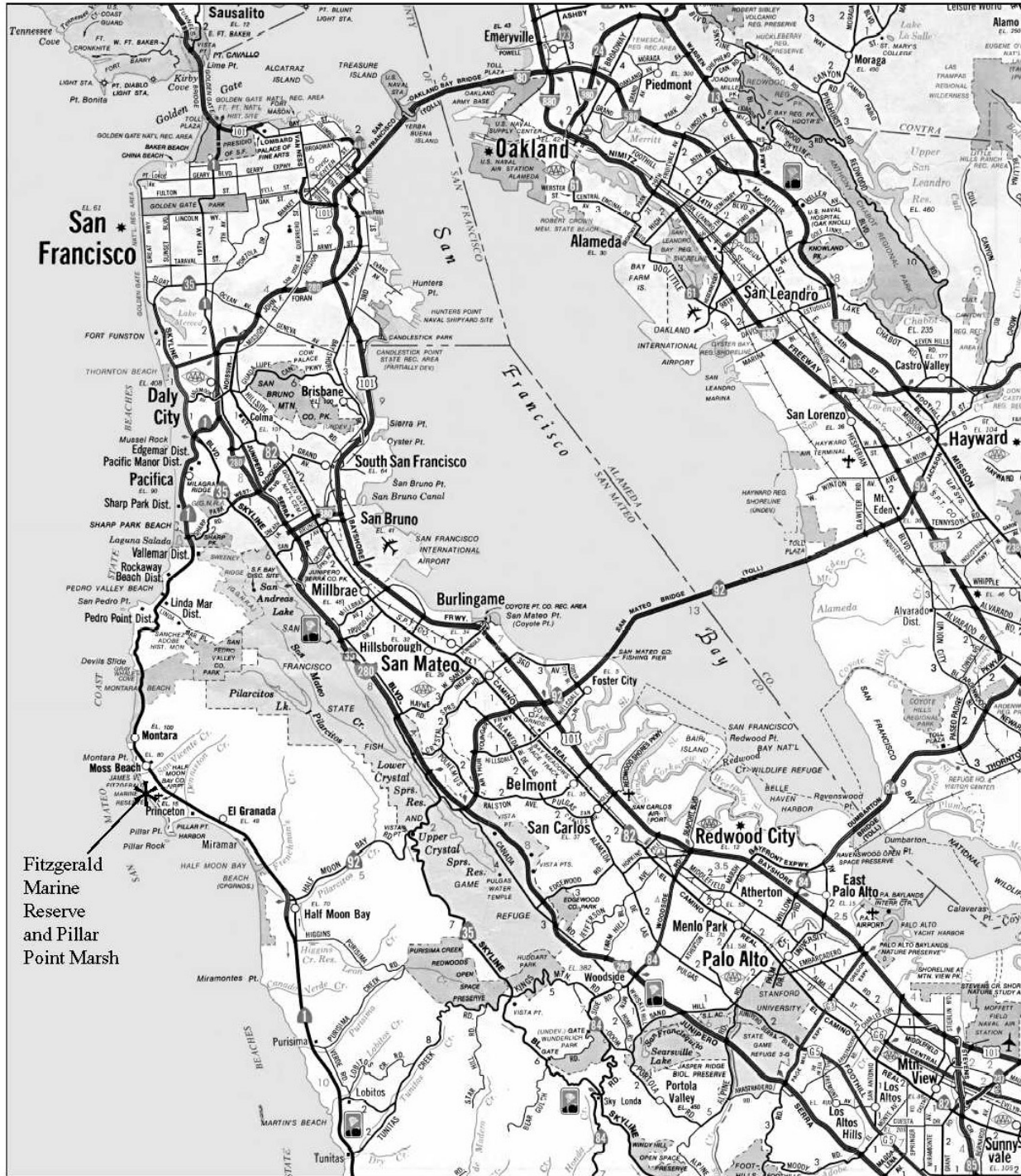
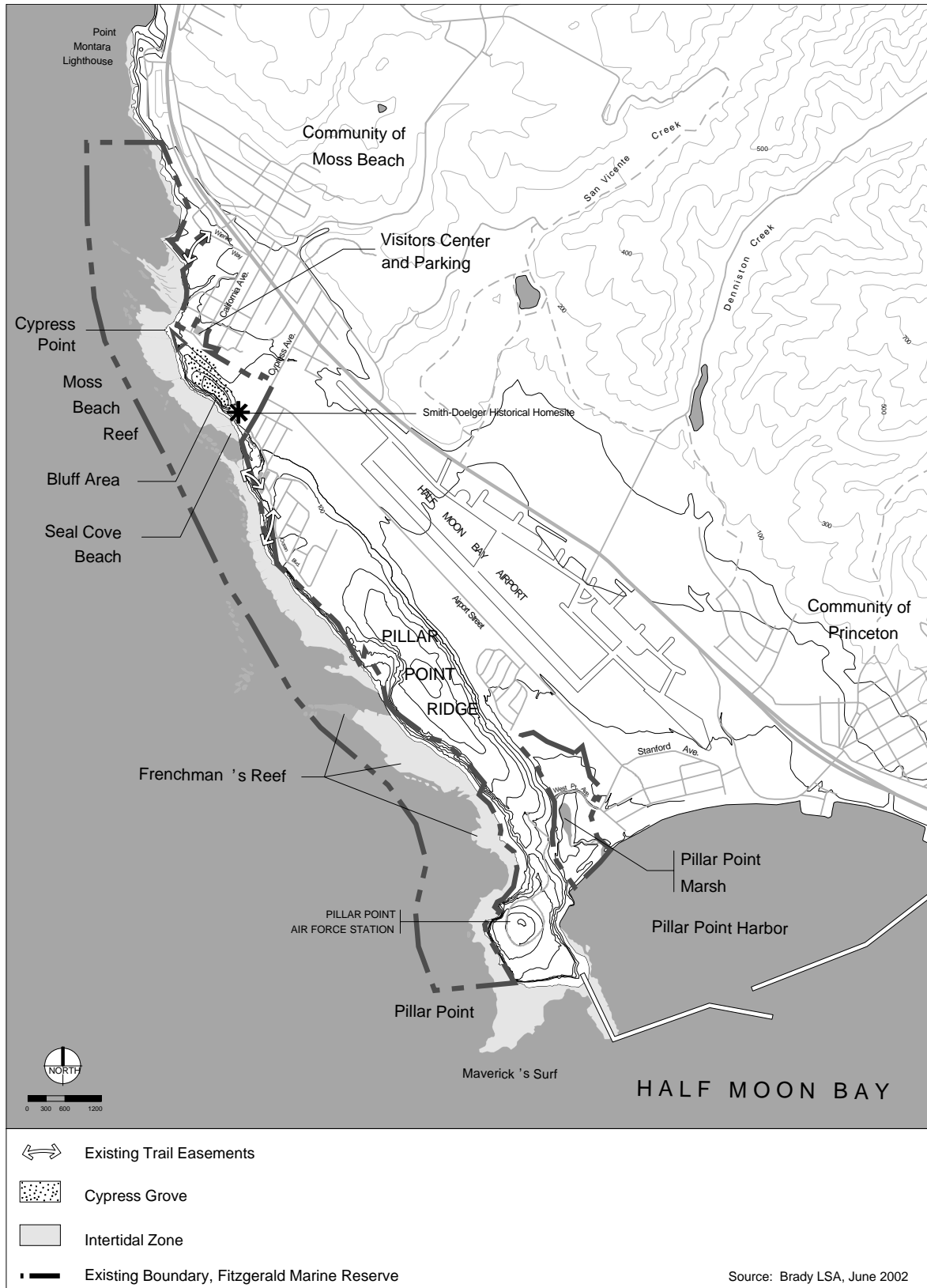


Figure II-2. Site Locations



C. Project Objectives

In 1997, after Pillar Point Marsh was acquired for addition to the Reserve, the County determined that a Master Plan was needed to balance the education and resource preservation missions of the Reserve, to address problems of high levels of visitation on the intertidal reefs, and to integrate the Marsh into the Reserve. According to the Master Plan, the fundamental concept underlying the Master Plan is that protection of the outstanding natural resources of the Fitzgerald Marine Reserve will require a new approach to management of ecological systems and visitors in future years, and that the best way to accomplish this goal is to emphasize the sensitivity of the resource, to enhance the educational value of the Reserve, to manage visitation, and to limit use of the Reserve as a recreation destination.

The goals of the Master Plan were developed during the early public review process, and are, in order of priority (Master Plan, p. 37):

1. Preserve and Enhance Natural Resources
2. Provide Educational and Interpretive Opportunities
3. Ensure Adequate and Well-Trained Staff
4. Improve Baseline Information
5. Improve Visitor Management
6. Improve Visitor Facilities
7. Minimize Impacts to Neighbors
8. Protect Cultural Resources
9. Provide Recreation Opportunities
10. Seek Funding Opportunities

The Master Plan has four main programs intended to meet the above-listed goals: 1) a Natural Resource Management Program, 2) a Visitor Management Program, 3) a Uses and Facilities Program, and 4) an Implementation Program. The Master Plan includes policies for the first three programs; for the Implementation Program, the Master Plan lists recommended actions to implement the other three programs. For the purposes of this EIR, the recommended actions from the Implementation Program are included as part of each of the first three programs (Natural Resource Management, Visitor Management, and Uses and Facilities), in order to provide a clearer understanding of the relationship between the policies and the recommended implementation actions. The policies and recommended implementation actions for the Natural Resource Management, Visitor Management, and Uses and Facilities Programs are listed in detail below.

D. Natural Resource Management Program

Master Plan pp. 41-46, 66-71

The primary goal of the Master Plan is to preserve the natural resources of the Reserve, and to enhance them through careful management. Policies and associated recommended implementation actions that would accomplish this goal are described below. Although most recommended implementation actions are grouped with the policy that they appear to be most directly related to, many of the implementation actions are related to multiple policies. The groupings of policies and recommended implementation actions included below are intended to show the relationship between them, but should not be considered exclusive. Several of the recommended implementation actions are not directly related to any of the specific policies in the Natural Resource Management Program, and these are listed at the end of this section. The implementation schedule for some of the following actions is shown in phases, in Table II-2 on page II-24.

Natural Resource Management Program Policies and Recommended Implementation Actions

Policy 1. Natural resources within the Fitzgerald Marine Reserve will be protected and restored through development and implementation of resource management policies and programs.

All Natural Resource Management Program Recommended Actions included in the Implementation Program of the Master Plan will implement the goals of Policy 1.

Policy 2. Visitor management policies and programs will focus on education, one of the priority missions of the Reserve.

Recommended Implementation Action 1. The Reserve staff should be expanded to six full-time positions, as described in Table 1-3 of the Master Plan, to manage and operate the Reserve, and control visitation levels. Staff positions will include Supervising Naturalist, Marine Biologist, Naturalists (2), Park Ranger, and Naturalists' Aide.

Recommended Implementation Action 5. The Reserve staff should develop a list of criteria and a protocol for applying the criteria by which to qualify group leaders for the Moss Beach Reef.

Policy 3. The Moss Beach Reef and Frenchman's Reef will be continuously monitored over a minimum period of 10 years to develop baseline information on the ecological system, to determine the rate and degree of recovery, and to determine the effectiveness of Master Plan policies limiting visitor use.

Biological monitoring has been conducted by Reserve staff and volunteers between 1973 and the present, and the Reserve now participates in a joint research program with San Francisco State University. However, additional monitoring and scientific investigations are needed to establish baseline information from which to develop effective monitoring programs and long term management strategies. The Master Plan proposes that a program for monitoring be developed jointly by the County of San Mateo and the State of California Department of Fish and Game, with participation by the Monterey Bay National Marine Sanctuary, that will meet the purposes stated in Policy 3, above. This information will be used to meet scientific and research objectives as well as to evaluate the effectiveness of management programs in achieving reef recovery and conservation goals. A monitoring report will be provided every two years to evaluate effectiveness of reef recovery measures and visitor management programs.

Recommended Implementation Action 2. San Mateo County and the California Department of Fish and Game, with participation by the Gulf of the Farallones National Marine Sanctuary and the Monterey Bay National Marine Sanctuary, will jointly develop a monitoring program for the Fitzgerald Marine Reserve that will achieve the following objectives: 1) provide information to establish a baseline for future scientific, research and monitoring activities; 2) monitor effectiveness of the Fitzgerald Marine Reserve Master Plan; 3) to determine impacts on intertidal reefs related to access, fishing and gathering activities and to implement appropriate actions, and 4) to inform future decisions regarding Reserve management.

Policy 4. Portions of the Moss Beach Reef may be closed to visitors as warranted by environmental conditions, research objectives, and monitoring activities.

In order to conduct monitoring activities and scientific investigations of the Moss Beach Reef, portions of the reef may require closure to all visitors from time to time. Configuration of such closures, and the appropriate techniques for closure, would be determined by the Reserve Manager, as part of the adaptive management program for the Reserve.

Recommended Implementation Action 3. Reserve staff should develop a Closure Plan for Moss Beach Reef. Closure normally requires construction of obstacles or barriers that will keep visitors away from sensitive areas. Currently, portions of the Moss Beach Reef are roped off each day at low tide as control areas to monitor the impacts of visitor access. This strategy appears to be effective in keeping visitors out of portions of the reef.

While a permanent barrier in the intertidal zone is difficult from an engineering perspective and visually unattractive, a temporary barrier can be erected during low tides; as an example, permanent anchors can be placed by sinking small diameter holes into the reef, lining these with casings and capping them off. At low tides, the plastic caps would be removed and a temporary pole erected to support a fence of plastic netting. Corridors can remain open between closed areas where visitors may pass.

Recommended Implementation Action 16. The County will continue to seek Marine Life Reserve status for the Fitzgerald Marine Reserve. Changing the designation of the Reserve from an area of special biological significance (ASBS) and a Marine Life Refuge to a Marine Life Reserve would be made as part of a new Master Plan for marine protected areas. (See discussion in Master Plan Part I. A, #5 “History of the Preserve”.) This will depend on results of studies to monitor impacts to the Reserve’s resources (Resource Management Program Implementation Action #2). In the Fitzgerald Marine Reserve area, the California Department of Fish and Game has management responsibility over waters below the average high tide line, and the County of San Mateo has management responsibility over areas above high tide line. Any limitations on access or fishing and gathering activities within the tidal zone or coastal waters would require approval of several entities, including the County Park and Recreation Commission, the County Board of Supervisors, and the California Department of Fish and Game. This action may be considered a project under CEQA, and thus would be subject to further environmental review. The County would coordinate with the Department of Fish and Game to implement such limitations.

Policy 5. The Feasibility of Restoring Tidal Action to the Freshwater Marsh across West Point Avenue to the northeast of the existing saltwater marsh will be determined.

Hydrologic and biological studies should be undertaken to determine whether restoration of a saltwater marsh is feasible, and the relative environmental impacts and benefits of replacing the freshwater (seasonal) marsh that exists in this area now with tidal saltwater marsh.

Recommended Implementation Action 14. Undertake a study to determine the feasibility of expanding the tidal marsh at Pillar Point Marsh across and north of West Point Avenue, into the area that is now freshwater marsh. The study should evaluate the potential impacts to plant communities and wildlife habitats that now exist in the freshwater marsh.

Implementation of any plan resulting from the feasibility study to restore tidal action to the freshwater marsh is not part of the proposed project and would be subject to separate environmental review under CEQA.

Policy 6. Water quality improvements in San Vicente Creek and Pillar Point Marsh will be undertaken.

The Natural Resource Management program shall include drainage improvements, removal of fill in the San Vicente Creek drainage, implementation of Best Management Practices (BMPs), and enforcement of non-point source water quality regulations. The County will coordinate with surrounding landowners to implement BMPs to improve upstream water quality. Specifically, the County will coordinate with the Half Moon Bay Airport to develop detention basins and vegetation buffers within the Airport’s drainage system to minimize impacts to the water quality of the Pillar Point Marsh, and will work with local landowners, the surrounding communities of

Princeton, Half Moon Bay and Moss Beach, and the local resource agencies, such as the Farm Bureau, San Mateo County Resource Conservation Service and the Regional Water Quality Control Board to develop best management practices to improve water quality in the San Vicente, Denniston Creek and other drainages upstream from the Reserve.

Any improvements to lands outside of Fitzgerald Marine Reserve are not part of this proposed project and would be subject to separate environmental review under CEQA.

Recommended Implementation Action 10. Prepare a creek restoration plan for San Vicente Creek that will arrest creek erosion to the extent possible, remove fill within the creek drainage, and revegetate the creek channel and banks.

Implementation of the creek restoration plan may require a Streambed Alteration Agreement from the California Department of Fish and Game, a Clean Water Act Section 404 permit from the US Army Corps of Engineers, and a Clean Water Act Section 401 water quality certification. Implementation of this plan would be considered a project subject to separate environmental review under CEQA.

Recommended Implementation Action 12. Prepare a water quality management plan for San Vicente Creek, the Sunshine Valley Creek drainage, Denniston Creek and Pillar Point Marsh that will include drainage improvements, BMPs, and enforcement of non-point source water quality regulations. The County should coordinate the Plan with local landowners, and the surrounding communities of Half Moon Bay, Moss Beach and Princeton.

Policy 7. Special status wildlife and plant species shall be protected within the Reserve, and habitat management plans shall be developed to protect and restore all identified special status species.

During implementation of the Master Plan, all areas where work is to be conducted shall be surveyed for special status wildlife and plant species prior to commencement of work. Habitat management programs shall be undertaken when special status species are identified, and impacts to such species shall be avoided or mitigated, as required by State and federal law. Improvements to the San Vicente Creek and Pillar Point Marsh shall include creation and protection of habitat for the red-legged frog, a federally listed threatened species. A habitat management plan for the red-legged frog shall be implemented within the San Vicente Creek corridor and Pillar Point Marsh.

Recommended Implementation Action 11. Develop a habitat management plan for the red-legged frog in San Vicente Creek and Pillar Point Marsh.

Policy 8. A vegetation management program will be developed to restore and protect native plant communities.

Specific objectives of this program will be to maintain the grove of Monterey cypress trees and to restore native vegetation to the San Vicente Creek channel, to upland areas and the Pillar Point Marsh. Non-native vegetation will be removed from the San Vicente Creek channel and the Pillar Point Marsh, and in the upland areas. The Monterey cypress grove will be thinned to improve the health of the forest and understory plants, and to remove eucalyptus trees, hazardous limbs and trees, and young cypress trees invading adjacent native habitat.

Recommended Implementation Action 13. Prepare a vegetation management plan to maintain and restore the Monterey Cypress grove and to protect native plant communities throughout the Reserve and Pillar Point Marsh. The Plan will include removal of non-native vegetation where feasible and appropriate.

Policy 9. Maintain the historic character and health of the plant community at the Smith-Dolger historic site.

The landscape surrounding the historic Smith-Dolger home contributes to the historic character of the site. Some of the plants, such as the palm trees, are not native, but are typical of early California residential settlements of this period. This landscape should be protected and maintained. Invasive non-native plants that are not part of the historic landscape should be removed from around the home and archaeological site; other non-natives should be maintained as needed to protect the historic character of the site.

Recommended Implementation Action 15. Develop a Cultural Resources Management Plan to guide management of cultural resources within the Reserve. These resources include the four identified archaeological sites and the Smith-Dolger home site. The Cultural Resources Management Plan should assess the presence of and potential for cultural resources, including prehistoric and historic archaeological sites, historic structures and buildings. The Cultural Resources Management Plan should provide for protection of the sites while allowing expanded interpretive and educational opportunities for visitors to the Reserve.

Policy 10. Acquire land in the vicinity of Pillar Point Marsh and lands adjacent to the Reserve, as it becomes available, to add to the ecological system of the Reserve. Establish a working committee of the County Park and Recreation Commission and Board of Supervisors to coordinate and facilitate acquisitions.

The Pillar Point Marsh land is now separated from the main body of the Reserve. The County should acquire land as it becomes available in order to connect Pillar Point Marsh with the Reserve, to expand the ecological system of the Reserve, to provide opportunities for future educational activities, and to avoid potential land use impacts that could result from management practices on adjacent lands in different ownership. Acquisition efforts should focus on land between the Reserve and Airport Street to the east, land between Pillar Point Marsh and the Reserve, and lands inland of Pillar Point, including the Pillar Point Air Force Station, should it become available at any time in the future.

Recommended Implementation Action 6. Develop a land acquisition program, in conjunction with the California Coastal Conservancy and other non-profit groups, to expand the Reserve boundary. A working committee of the County Park and Recreation Commission and Board of Supervisors should be established to coordinate efforts to acquire these lands for inclusion into the Reserve. The committee may include members of governmental agencies with jurisdiction in Fitzgerald and non-profit agencies organizations that may facilitate or fund acquisitions.

Policy 11. Introduction and possession of domestic and feral animals, including dogs, cats, ducks and any exotic, non-naturalized species are prohibited in the Reserve.

Due to the potential for impacts to biological resources from predation or disease, dogs and other non-native species are not allowed within the Reserve. This policy will be implemented and enforced to prevent interference with and mortality of native species. Dogs will be allowed only on leash on the California Coastal Trail. Actions to reduce or remove existing populations of domestic and feral animals will be implemented by Reserve staff. This policy is consistent with County Code Section 3.68.080(i).

Policy 12. Recreational hunting, gathering and collecting are prohibited within the Reserve because of the potential risks to public safety and biological resources.

California Department of Fish and Game regulations for Marine Life Refuges limit taking and possession of species (see Part One, Section 8.a.1 of the Master Plan). However, gathering of species has been a common recreational activity within the Reef and has been responsible for

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impacts on the biodiversity of the Reef. Hunting has occurred in the bluff area of the Reserve, although infrequently. Subsistence gathering has also occurred on the Reef. These illegal activities have been discouraged through education and outreach by Reserve staff and volunteers; however, many of the Reef resources have been depleted through these activities. As a result, efforts are underway to establish the Reserve as a Marine Life Reserve (for additional discussion, see Part One, Chapter A.5 of the Master Plan). The Reserve Manager will be responsible for enforcement of this policy as part of the adaptive management program. This requirement is consistent with County Code Section 3.68.080(d), (g), (h) and (n).

Additional Recommended Implementation Actions

The following recommended implementation actions are related to preserving and managing natural resources within the Reserve, but do not direct implementation of any of the specific policies listed above:

Recommended Implementation Action 4. The County Department of Parks and Recreation will review and expand the reservations system for the Reserve as needed to implement policies that limit number of visitors.

Recommended Implementation Action 7. To reduce operations and management costs, the County shall continue to pursue and establish partnerships with volunteer groups, adjacent recreation areas, research and scientific institutions, adjacent landowners, and non-profit organizations for the operation and management of the Reserve.

The County shall cooperate specifically with the United States Air Force, which owns the radar tracking facility controlled by Vandenburg Air Force Base, and which prepared the Integrated Natural Resources Management Plan for the Vandenburg Air Force Base: Supplement, Pillar Point Station for Plan Period July 2001-July 2006. The Plan contains management goals for the Pillar Point Station. In response to the Air Force Integrated Resources Management Plan, the County of San Mateo Parks and Recreation Division suggests a Cooperative Agreement between the County and the Air Force as it relates to 1) trails and public access; 2) development of interpretation along bluff top trails; 3) Red-legged frog habitat management in the Pillar Point Marsh; 4) restricting dogs to the upland areas and requiring them to be on leash; 5) invasive vegetation species control, and 6) vegetation management along rights-of-way.

Recommended Implementation Action 8. The County Division of Parks and Recreation shall coordinate with other agencies and government entities, including departments, divisions and agencies of San Mateo County, as needed to implement the Plan.

Recommended Implementation Action 9. Identify funding opportunities for resource management programs. Such opportunities may include grants and funds for scientific research and education development and special state, federal and local programs for marine life, wildlife and resource protection. An example of such funding is the Coastal Impact Assistance Program grant from the State of California. The County has secured funding under this program for year 2002 to develop and implement a resource assessment program for the Fitzgerald Marine Reserve. The program will determine the amount of resource degradation (if any) from visitation, fishing and gathering, and propose actions that can best protect the Reserve's natural resources. The program will also evaluate the effect of the proposed actions.

E. Visitor Management Program

Master Plan pp. 47-54, 66-67

Most policies in the Visitor Management Program focus on restructuring and limiting the levels of visitation and enforcing restrictions on visitor numbers and activities in the Reserve in

order to meet the goals of the Master Plan. Since most of the policies specify actions to occur, no specific recommended actions are included in the Implementation Program under Visitor Management. The Visitor Management Policies are listed below. The Master Plan specifies that these activities should be undertaken immediately, and the implementation schedule in the Master Plan includes limiting visitors in Phase One. Table II-2 on page II-24 lists some of those policies that should be enforced as soon as staff capabilities permit.

Visitor Management Program Policies

Policy 1. Visitor use of the Reserve will be managed and limited to the number of persons that can be accommodated without damage to resources.

Visitor use of the Moss Beach Reef will be limited to a maximum of 300 persons at one time for a minimum period of ten years. The Moss Beach Reef is the area most accessible to visitors, and therefore the most impacted and vulnerable. Highest levels of visitation occur during low tide, when the reef is accessible by foot and most visible. Visitors to the Moss Beach Reef will be limited to a maximum of 300 persons at one time, with a target goal of no more than 500 persons in one day. As part of the Reserve's adaptive management program, the number of visitors can be lowered at the discretion of the Reserve Manager, if the resource remains impacted by visitation.

Visitor use of Frenchman's Reef will be limited to a maximum of 200 persons at one time for a minimum period of ten years. The areas of the reef referred to generally as Frenchman's Reef are much less accessible to visitors, and are less well known than the Moss Beach Reef. Access to these reefs from the south is limited by the Pillar Point landform, which makes direct beach access difficult except at very low tides, and the lack of trails leading to the beach from the bluffs. Impacts on these areas of the reef have been very light, as compared to the heavier impacts on areas to the north at Moss Beach and to the south at Pillar Point. The objective of limiting visitor use on these areas of the reef is to preserve their relatively pristine quality, biodiversity and richness. These areas will be used as a control for evaluating the degree and rate of recovery of the Moss Beach Reef.

The visitor use limits were developed as part of the Master Plan process that included County and Reserve staff, the consultant team, and a Technical Advisory Committee comprised of representatives of interested organizations and agencies. At present, a study is underway to assess the existing level of impacts to resources in the Reserve, characterize visitor usage of the Reserve, and investigate the cause of impacts to the resources at the Reserve. This study is expected to be completed in December 2004. The results of this study will include management considerations and options for management of resources. The specific methods that will be used to limit visitation will be determined based on the results of this study.

The Pillar Point Marsh is one of the principal wetland-riparian areas along the San Mateo County coast, habitat for numerous special status species and a refuge for migrating waterfowl. Recreation use in the Pillar Point Marsh area will occur in designated areas, and will be discouraged in the Marsh.

Policy 2. The primary purpose of visitor use of the Reserve will be education.

Informational materials, visitor orientations, signage and interpretive programs and materials will emphasize the educational mission of the Reserve and promote resource protection. Recreational use of the intertidal reefs and Pillar Point marsh should be explicitly discouraged. Use restrictions should be clearly posted and enforced.

Policy 3. All groups are required to make advance reservations to go onto the reef.

The Reserve is currently open to the public from sunrise to sunset, and access to the reef is not restricted, except for groups of 20 or more who are required to make reservations. The reservation system will be expanded to require reservations for all groups. The reservation system will be one of the ways that visitor use of the Moss Beach Reef will be limited to 300 persons at one time. A “group” is defined as more than four persons.

Policy 4. Each group will be limited to no more than 100 individuals.

Due to the difficulty of monitoring activities of large groups, smaller groups are preferred. Size of groups will be controlled through the reservations system.

Policy 5. Any group of 20 or more individuals must be lead by a staff member, docent or other qualified leader to be on the reef.

Docents and qualified leaders are those who have been trained by the Reserve staff, or have other specific qualifications that meet Reserve criteria. (Criteria for docents and qualified leaders will be determined as part of Resource Management Program Recommended Action #5.)

Policy 6. Visitor fees will be charged for access, visitor services and/or parking.

On weekends, visitor levels exceed the capacity of parking areas and visitor facilities. Charging fees for services and parking is a way of controlling casual recreational access to the reef, and discouraging recreational use in favor of educational use. Fees will be set by the County Department of Parks and Recreation Division and will be consistent with fees charged at other County and State-managed public open space reserves. This policy is consistent with County Code Section 3.68.040(a), (b) and (c). This policy may not be implemented immediately, but will be one of the options available to the County for limiting visitation and emphasizing the use of the Reserve for education.

Policy 7. Parking regulations will be clearly signed and strictly enforced in residential areas surrounding the Reserve.

This policy is essential to minimize overflow parking on neighborhood streets, and in turn, impacts on neighborhood residents, especially on weekends when vehicles may be charged for parking in Reserve parking areas. The Moss Beach neighborhood has been the most impacted by overflow parking on residential streets. The County Parks and Recreation Division will work cooperatively with the County Sheriff’s Department to enforce County parking regulations.

Policy 8. Parking and driving on West Point Avenue leading to Pillar Point will be discouraged through parking regulations, development of a new parking area at an alternative location, and signage and provisions for a turnaround and drop-off area in the existing Harbor District parking area at Pillar Point.

The parking area owned by the Pillar Point Harbor District attracts large numbers of recreationists, including dog owners and surfers. The parking area is already over capacity during peak use periods, and overflow parking occurs along West Point Drive in the Pillar Point Marsh. This policy is intended to relocate parking to a site south of the Half Moon Bay Airport and east of the Pillar Point Marsh (as shown in Figure II-5), to meet the objective of reducing impacts on the Marsh. The County Parks and Recreation Division will work cooperatively with the Harbor District to resolve issues at the Harbor District parking area. Potential solutions to overcrowding and impacts related to parking include use of the Harbor District area only for handicapped parking, with short-term stays for drop-offs and loading/unloading, and services, including emergency access.

Policy 9. As part of the adaptive management program, access and fishing may be limited or prohibited on the reef, if such limitations or prohibitions are warranted by findings of the Monitoring Program (Resource Management Program Recommended Implementation Action #2). Such actions would require authorization by the San Mateo County Park and Recreation Commission, County Board of Supervisors and the California Department of Fish and Game.

The Reserve policy has been to allow fishing, as provided for by California State Fish and Game Code. Fishing may have been responsible for losses and degradation of fish habitat in the reef. Subject to the findings of the Monitoring Program, required as Resource Management Program Recommended Implementation Action #2, access and fishing activities may be recommended to be limited or prohibited as part of the California Department of Fish and Game reclassification process.

In the Fitzgerald Marine Reserve area, the California Department of Fish and Game has management responsibility over waters below the average high tide line, and the County of San Mateo has management responsibility over areas above high tide line. Any limitations on access or fishing activities within the tidal zone or coastal waters would require approval of several entities, including the County Park and Recreation Commission, the County Board of Supervisors, and the California Department of Fish and Game. This action may be considered a project under CEQA, and thus would be subject to further environmental review. The County would coordinate with the Department of Fish and Game to implement such limitations.

Policy 10. No picnicking will be allowed on the beach.

Importation of food and drink into the beach areas can affect aquatic resources in the reef. Picnicking will be allowed in upland areas, but prohibited on the beaches, which are adjacent to the reef. The Reserve Manager will be responsible for enforcement of this policy as part of the adaptive management program.

Policy 11. Horseback riding, bicycling, and dog walking will be permitted only on the California Coastal Trail within the Reserve.

The California Coastal Trail is a multi-use trail that extends along the coastline, connecting the cities of Half Moon Bay and Pacifica in this part of the coast. A segment of the California Coastal Trail would pass through the Reserve on an easement located on the inland eastern side, and the Trail would accommodate pedestrians (hikers), dog walkers, bicyclists and equestrians. The Trail alignment is intended to avoid conflicts between protection of resources and trail users in the reef, beach and marsh areas. The Trail would be separated from the Reserve by fencing and gates, and signed to indicate pedestrian-only use in the Reserve.

Policy 12. The County of San Mateo Code of Ordinances, Sections 3.68.080 through 3.68.170, shall apply to activities within the Fitzgerald Marine Reserve and Pillar Point Marsh. The ordinances include the following provisions:

- a. Motorized off-road vehicles are prohibited within the Reserve in order to avoid the risk of erosion, water quality degradation, safety hazards and excessive noise.
- b. Motor vehicles shall be restricted to designated parking areas and paved public roads.
- c. Park rules, including hours of operation, shall be made available to park visitors at entrance gates, at the Education Center, at the Pillar Point Marsh, and on maps and brochures. Park visitors shall be responsible for knowing and following park rules.
- d. To protect the public health and safety and water quality, alcoholic beverages shall not be permitted within the Reserve.
- e. Smoking of cigarettes and other tobacco products shall be permitted only in designated areas. Trash and cigarette receptacles shall be conveniently located at solid waste

disposal collection points readily serviceable by solid waste disposal contractors within developed facilities to encourage appropriate waste disposal. A “pack it in and pack it out” waste disposal policy shall be in effect for trails and remote vista points.

- f. Fireworks shall not be permitted on Reserve lands at any time in order to protect public safety and avoid environmental impacts.
- g. Special events, (for example, weddings, assemblies, performances, and live entertainment), may be held at the Fitzgerald Marine Reserve through the County Parks and Recreation Division special event process on the condition that the special event conforms with the goals of the Master Plan’s resource and visitor management policies so as not to have an adverse impact on resources, facilities or programs.

Policy 13. Because the Reserve has no fire suppression capability, other fire control agencies will continue to be relied upon to provide that service.

To ensure adequate protection from fire risks, the County Parks and Recreation Division shall meet annually with responding fire agencies to coordinate responsibilities, to review implementation plans, and to identify future actions.

To reduce the potential for wildfires, uncontrolled parking along the side of roads will not be permitted. Portable barbecues will not be permitted and areas around the picnic sites shall be maintained in a manner so as to reduce the potential for fire ignition.

Policy 14. In compliance with the Americans with Disabilities Act (ADA), accommodations shall be made for disabled persons where feasible at selected areas and sites within the Reserve. Access provisions and facilities will be designed to encourage use by the disabled where feasible.

Site development specifications for disabled persons shall be researched and incorporated into the design and construction phases for recreation facilities. Reserve management shall clearly identify those recreation facilities that are ADA-accessible.

F. Uses and Facilities Program

Master Plan pp. 55-63, 67, 71-72

Policies that will guide the program for uses and facilities are set forth below. Recommended implementation actions are grouped with the policy to which they are related, also below. The policies and recommended implementation actions are followed by program recommendations for specific facilities and trails. The general locations for the new facilities proposed in the Master Plan are shown in Figure II-3.

Uses and Facilities Program Policies and Recommended Implementation Actions

Policy 1. Uses and activities will be consistent with the primary missions of the Reserve, to preserve and enhance natural resources, and to provide educational opportunities.

Uses within the Reserve will include activities related to education and interpretation of natural resources, including the ecological systems of the intertidal reef, and the beach, uplands and marsh/wetlands complex, and recreational activities, such as walking, nature study and picnicking, that are compatible with protection of natural resources. Educational and interpretive activities will include (but not be limited to) tours led by Reserve staff, docents and trained volunteers; workshops, seminars and classes; and training for docents, volunteers, and tour leaders. Horseback riding, dog walking, and bicycling will be restricted to the California Coastal Trail.

Recommended Implementation Action 3. Develop an educational and interpretive program for the Reserve that includes the intertidal reefs, the uplands, the Marsh, the archaeological resources and the Smith-Dolger homesite. The program should be centered at the Moss Beach Education Center, but include all areas of the Reserve.

Recommended Implementation Action 4. Develop an informational and directional signage program to inform the public of use restrictions at the Reserve, and to educate the public regarding natural and cultural resources.

Policy 2. Physical improvements will be adequate to accommodate education and interpretive uses, management activities and visitor services commensurate with Master Plan goals and policies.

Facilities developed to accommodate these uses will include an Education Center at the site of the existing Moss Beach visitor's center, near the Moss Beach Reef, and parking, picnic and restroom facilities near the Pillar Point Marsh. The existing trails network will be improved and will connect facilities at the north and south end of the Reserve.

Recommended Implementation Action 1. Undertake a Facilities Development Program to design and construct the Reserve facilities, including the following:

- Education Center building and associated facilities, including the parking area, entries, picnic area, and restrooms. This program should include a site landscape plan and infrastructure/services plan.
- Pillar Point Marsh facilities, including the parking area, restrooms, and picnic area. Current proposal is conceptual only (See Section 1. Facilities Program, p. II-16, for more specific information on these facilities). Additional siting and design studies to be undertaken by County as part of the Master Landscape and Trails Plan (See Uses and Facilities Implementation Action #2). The County should coordinate this effort with the Harbor District, the County of San Mateo, Half Moon Bay Airport and the community of Princeton.

The County will coordinate the design of the Education Center, Pillar Point Marsh facilities, and other facilities with the public and the community.

Recommended Implementation Action 2. Develop a Master Landscape and Trails Plan for the Reserve that would include the Overlook Areas; the San Vicente Creek footbridge; fencing locations and designs; and trail system design and alignments. The trails component of this Plan may require acquisition of land or trail easements (for example, to complete the link to Wienke Way). The Master Landscape and Trails Plan will be coordinated with the San Mateo County Trails Plan to ensure that trails located within the Reserve are linked with surrounding regional public trails, and that the design is consistent with County Trails Plan design and management guidelines. The San Mateo County Trails Plan includes the following components:

- Inventory of existing formal and informal trails, and service roads.
- Evaluation of existing trails, trailheads and parking needs.
- Specific trail use policies.
- Criteria for trail use by multiple users.
- Design and management guidelines to include guidelines for signage, parking, trail design, and construction and maintenance guidelines for trails.

The San Mateo County Trails Plan was developed in 2001 in a public planning process with input from the public and coordination with other agencies, and provides guidelines for trail development and management.

Recommended Implementation Action 5. Identify funding opportunities for capital improvements. Such opportunities may include grants and funds for recreation and education development and special State, federal and local programs for wildlife and resource protection. These funding sources often require local matching funds.

1. Facilities Program

Education Center. An Education Center will be constructed at the existing Moss Beach site that will serve as the main educational and meeting site for visitors who wish to learn about the Reserve, and for management and administration activities. A conceptual site plan for the Education Center is shown in Figure II-4.

The Education Center will supply information, maps and brochures to visitors, and will accommodate interpretive and educational programs, displays and nature exhibits, a multi-purpose room for organized group orientation and classes, and outdoor area for group meetings. Field-based tours will be organized from this center, and educational activities will be conducted in this building. It will house the Reserve management staff, and administration of the Reserve will be conducted from this building.

The building will be located at the northern boundary of the Reserve, adjacent to Nevada Avenue. The building will be oriented to the southeast for energy efficiency, with an outdoor picnic and gathering area to take maximum advantage of views of the Reef.

Although the Education Center building itself will be modest in size, it will serve as the focal point for all educational and management activities in the Reserve. The specific program for the Education Center is shown in Table II-1.

	Size/Area (sq. ft.)	Purpose	Estimated Cost Range
Education Facility		Education, Administration and Management	
Classroom	900	Education Classes, Tour Orientations, Meetings, Displays	
Restrooms	400	Eight Stalls and Lavatory	
Office space	300	Administration, Management	
Storage/mechanical space	250	Equipment Storage, Building Mechanics	
Entry	100	Reception Area, Displays	
Total Building Area	1,950		\$1-\$1.5 M

Source: Fitzgerald Marine Reserve Master Plan, Final Draft

Education Center Parking Area. A parking area adjacent to the Education Center will accommodate parking for individuals and group visitors, management staff and docents and volunteers. The parking area will accommodate 56 passenger vehicles, an increase of 14 over the existing 42 parking spaces, and five buses or vans. Assuming an average of two persons per passenger vehicle and 44 persons per bus or van, the parking area will accommodate 332 persons at peak capacity. With a limit of 300 persons at one time on the Moss Beach Reef, it is anticipated that the parking will be adequate to serve the maximum number of visitors, management staff and docents and volunteers. Access to the parking area will be from Nevada Avenue and California Avenue. Bus access will be only from Nevada Avenue. The parking area will be gated to control access. The proposed location of parking is included on the conceptual site plan for the Education Center (Figure II-4).

Outdoor Area/Picnic Shelter. A picnic shelter will be located adjacent to the Education Center, on the southwest side of the Education Facility with views over the reefs. Picnic tables and benches will be provided.

Pillar Point Marsh Parking Facility. A new parking area will be developed to the east of Pillar Point Marsh to accommodate parking for individual visitors, groups and Reserve staff. The general location of this facility is shown in Figure II-5. The parking area will accommodate up to 40 passenger vehicle spaces and three bus spaces. Assuming an average of two persons per passenger vehicle and 44 persons per bus, the parking area will accommodate 212 persons at peak capacity. With a limit of 200 persons at one time on Frenchman's Reef, it is anticipated that the parking will be adequate to serve users. The Harbor District parking area now accommodates up to 20 cars, and is over capacity during peak visitor periods. As the site becomes better known, there may be times when the proposed amount of parking is inadequate to serve all visitors; however, it is anticipated that these peak times would be relatively few, since visitation is now staggered seasonally (surfing during winter, beach use during the summer, and birding in the spring and fall) and that visitors will adjust by planning visits during non-peak times. The parking area will be designed with drainage improvements to avoid water quality impacts to Pillar Point Marsh. Since plans for the Pillar Point Marsh Parking Facility are presently only at the conceptual level, additional environmental analysis pursuant to CEQA will be conducted for this facility once specific plans are completed.

West Point Avenue, which is owned by the U.S. Air Force, will remain as access to the U.S. Air Force radar tracking station on Pillar Point. It will also serve as trail access to the Pillar Point area, to connect with the California Coastal Trail, and will serve as access to the Harbor District parking area for disabled, passenger drop-off, and loading/unloading, service and emergency vehicle use. Restrooms will be provided at the parking area.

Pillar Point Marsh Picnic Facilities. A picnic area will be developed near the parking area at Pillar Point Marsh. The area will be sited and landscaped to provide views of the Marsh, and screened from vehicular activity associated with parking.

Landscaping. The Monterey cypress grove and other areas of native vegetation will be restored and maintained. The site of the existing visitor's center within the Monterey cypress grove will be restored to a natural area. The Monterey cypress grove at this location will serve as a visual buffer to screen the parking area from surrounding properties. The existing restrooms and paths will be removed.

The Education Center site will be landscaped to screen the parking area from off-site views, and to enhance the site as appropriate for the primary visitor's destination in the Reserve. Perimeter landscaping with native plants will be provided adjacent to Nevada Avenue and California Avenue, and around the Education Center building. The bank above San Vicente Creek, and the areas along paths leading to the reef will be replanted with native landscaping.

Outdoor Classroom. An outdoor classroom will be located within the Monterey cypress grove on the bluff overlooking the intertidal reefs shown in Figure II-4. The outdoor classroom will be open air, with a base formed of a pervious material, such as decomposed and compacted gravel, under a canopy that will protect users from inclement weather. Classroom size will be about 1,000 to 1,500 square feet. (Size and specific dimensions of the classroom area may vary, depending on specific site conditions.) Paths leading to the classroom area will be surfaced with pervious materials.

Overlook Areas. On the bluff overlooking the reefs, two point access overlook areas will be defined with pervious surface paths leading to them Figure II-4. The overlook areas will have benches, and a pervious surface ground treatment consistent with the path surfacing. They will

be small, about 20 feet in circumference, and defined by low wood fences to keep users away from eroding areas of the bluff.

Benches. Memorial benches shall be limited to one bench at each of the following locations, for a total of five benches: 1) the entrance to the Education Center; 2) the two overlook areas on the bluff adjacent to the cypress grove; 3) the picnic site at the Pillar Point Marsh Visitor Facilities; and 4) on the bluff trail at the end of Cypress Avenue, above Seal Cove Beach. Memorial bench donations shall conform with San Mateo County Division of Parks and Recreation Code of Ordinances, Policy 307H, 1-5.

San Vicente Creek Footbridge. A new footbridge will be constructed across San Vicente Creek to connect trails within the Reserve. The location of the new footbridge will be determined in coordination with the San Vicente Creek Restoration Plan.

Educational and Interpretive Program. The County will develop an educational and interpretive program for the Reserve. Interpretation of Reserve resources shall be incorporated into the design of the Education Center. The program will display exhibits within the Education Center, and may also use freestanding small structures for exhibits and displays sited throughout the Reserve. Interpretive exhibits and displays should be consistent in design with the Education Center and other Reserve facilities, and should be integrated into the signage program, described below.

Signage. A consistent and clear interpretive and directional signage program will be provided throughout the Reserve to assist visitors and emergency personnel in locating areas, and to educate visitors regarding natural resources and processes. A signage program will be developed that is unique to the Reserve. Signage should serve a dual purpose of educating and guiding visitors. Signage should in some cases limit visitor activities; for instance, in areas where vegetation restoration programs are in place, or along the bluff faces where erosion causes hazardous conditions. The program shall identify sign materials, design, font styles, and sign locations. Trail signs shall indicate trail names and use restrictions. Both Nevada Avenue and California Avenue will be signed for resident parking only.

Fencing. New wood rail fencing will be installed to define areas of visitor use, and to control access during times when visitor levels at the Reserve are at capacity.

- **Bluff Fence.** A new wood rail fence, no higher than 3 feet, will be installed no less than 15 feet from the edge of the bluffs the length of the Reserve. The purpose of this fence will be to define those areas where hazardous conditions occur and visitor access is prohibited.
- **California Coastside Trail Fence.** The 15 foot wide easement for the California Coastside Trail on the eastern edge of the Reserve will be fenced on either side with a low wood rail fence.
- **Reserve Boundary Fence.** The boundary of the Reserve will be fenced around its perimeter with a wood rail fence to control access to the Reserve. The fence will be gated at strategic points to allow pedestrian access.

2. Trails Program

New trails may include the California Coastal Trail, beach access trails, and the Pillar Point Marsh trails. The decision to develop new trails that provide additional access points to the Reserve will be determined based on the results of the ongoing assessment of resources and visitor use, expected to be complete in December 2004. Realignment and restoration of existing trails will occur throughout the Reserve to protect both resources and visitors. Most of the trails in the Reserve will require rebuilding, resurfacing and replanting along their alignments. All trails and paths, with the exception of those immediately adjacent to the Moss

Beach Education Center building and parking area, should be surfaced with pervious materials, such as decomposed granite. Replanting should be with native vegetation. Widths of most trails will vary, depending on site conditions. Trail design will be generally consistent with design standards contained in the San Mateo County Trails Plan. Existing and approximate proposed trail alignments are shown in Figures II-3, II-4, and II-5.

- **The California Coastal Trail** will be extended north-south through the Reserve within a 15-foot easement along the eastern boundary. The California Coastal Trail is a multi-use trail that extends along the coastline, connecting the cities of Half Moon Bay and Pacifica in this part of the coast. A segment of the California Coastal Trail would pass through the Reserve partly on an easement located on the inland eastern boundary, and partly to the east of the Reserve along airport road. The proposed trail alignment is shown in Figures II-3, II-4 and II-5. The Trail would accommodate pedestrians (hikers), dog walkers, bicyclists and equestrians. The Trail alignment is intended to avoid conflicts between protection of resources and trail users in the reef, beach and marsh areas. The trail would be fenced to avoid access to the Reserve by all except pedestrians, and would be signed to discourage other users from entering the Reserve.
- **The trail to Moss Beach Reef** from the Education Center parking area will be restored and replanted. Its current configuration is due to the placement of large boulders to forestall bank erosion. The trail has been eroded and shored up. It will require reconfiguration, regrading and planting.
- **The Leeb parcel public access trail** has been proposed by the County to extend from the Distillery Restaurant parking area to the beach. Fourteen parking spaces in the parking area are owned by the County and are signed as designated public access parking.
- **Bluff and interior trails** within the Reserve will be rebuilt, resurfaced and replanted in many locations, due to ongoing erosion and overuse. The bluff trail will be adjacent to a low wood rail fence, no higher than 3 feet, on the ocean side. Signage will warn users of the need to stay well back from the bluff.
- **The trail to Seal Cove Beach** may be reconstructed to provide access to the beach. The slope at this location is extremely steep, and has been subject to bluff erosion. A stepped path would be the most appropriate design for this trail, given the constraints of the alignment. Disabled access is not feasible at this location without major grading and substantial cost. If at a future date disabled access to Seal Cove Beach is determined to be a priority, a feasibility analysis to determine the best location and the cost and design requirements for disabled access should be undertaken.
- **A trail from Wienke Way** on the north side of the Reserve may be constructed to provide gated access from residential streets down the bluff into the Reserve. Heavy use of this access point has caused erosion problems; development of a trail at this location will reduce the frequency of off-trail use and reduce erosion. Easements may have to be acquired to implement this trail segment. This access trail is being designed by the County as part of its San Mateo County Trails Plan, and will be coordinated with interested parties and landowners.
- **The Pillar Point Marsh trail** will extend from the proposed parking area on the northeast side of the Marsh along West Point Avenue to connect to the trail leading from the Harbor District parking area to the beach. The alignment of the trail will be determined as part of the Master Landscape and Trails Plan (See Uses and Facilities Implementation Action #2). This trail will also serve as a link in the California Coastal Trail, leading from the community of Princeton northward through the Reserve.
- **The Pillar Point Spur Trail** is proposed to provide point access to the Marsh. The spur trail would originate from the Pillar Point Marsh Trail (West Point Avenue) and extend southward into

scrub vegetation above the Pillar Point Marsh. Studies would be required to determine its feasibility and potential impacts on habitats in the Marsh. If determined to be feasible and environmentally acceptable, this trail could include a bird blind suitable for bird watchers to conduct bird counts and to observe birds and other wildlife.

Figure II-3. Proposed Master Plan

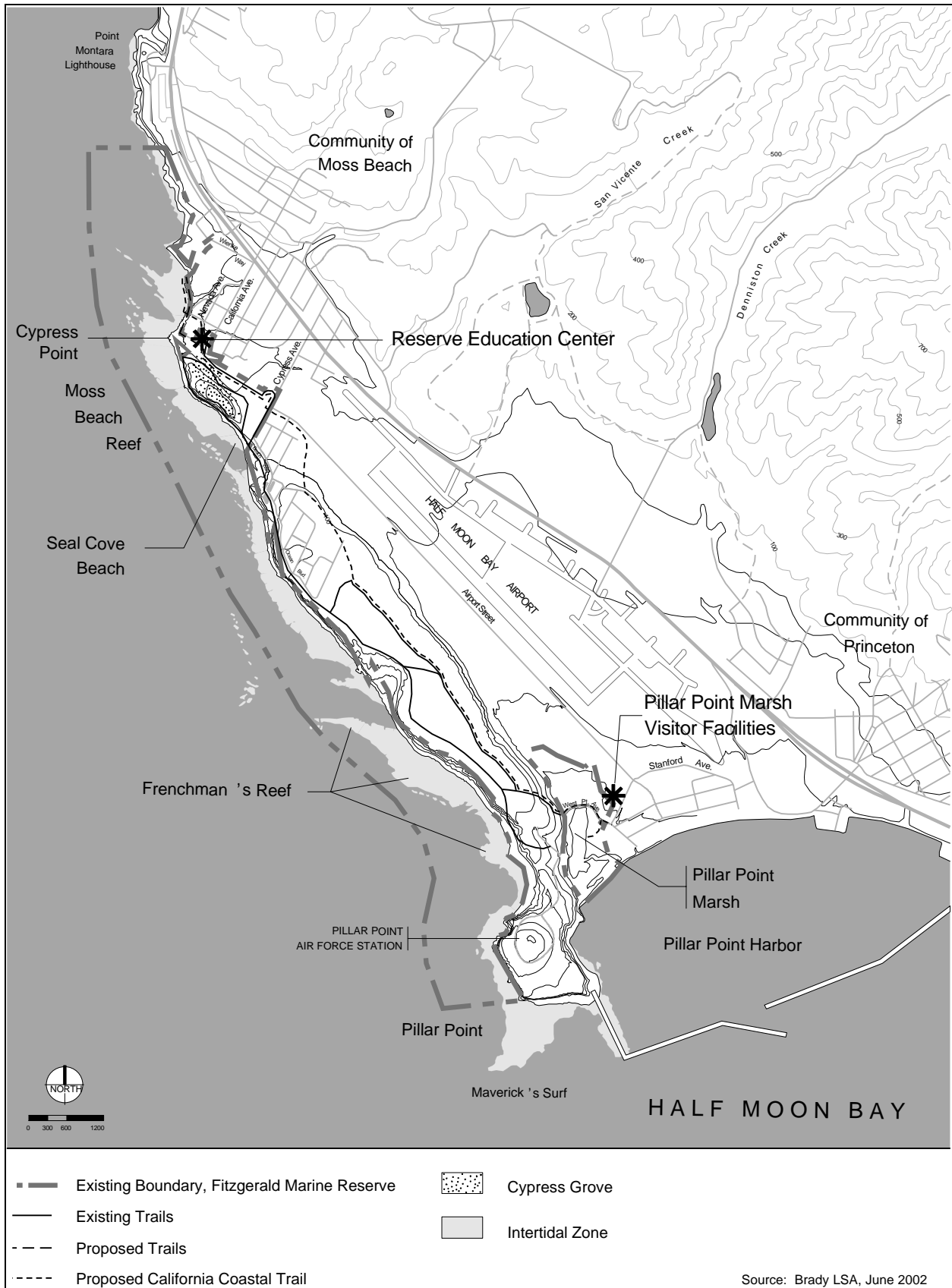


Figure II-4. Education Center Conceptual Site Plan

Source: Brady LSA, June 2002

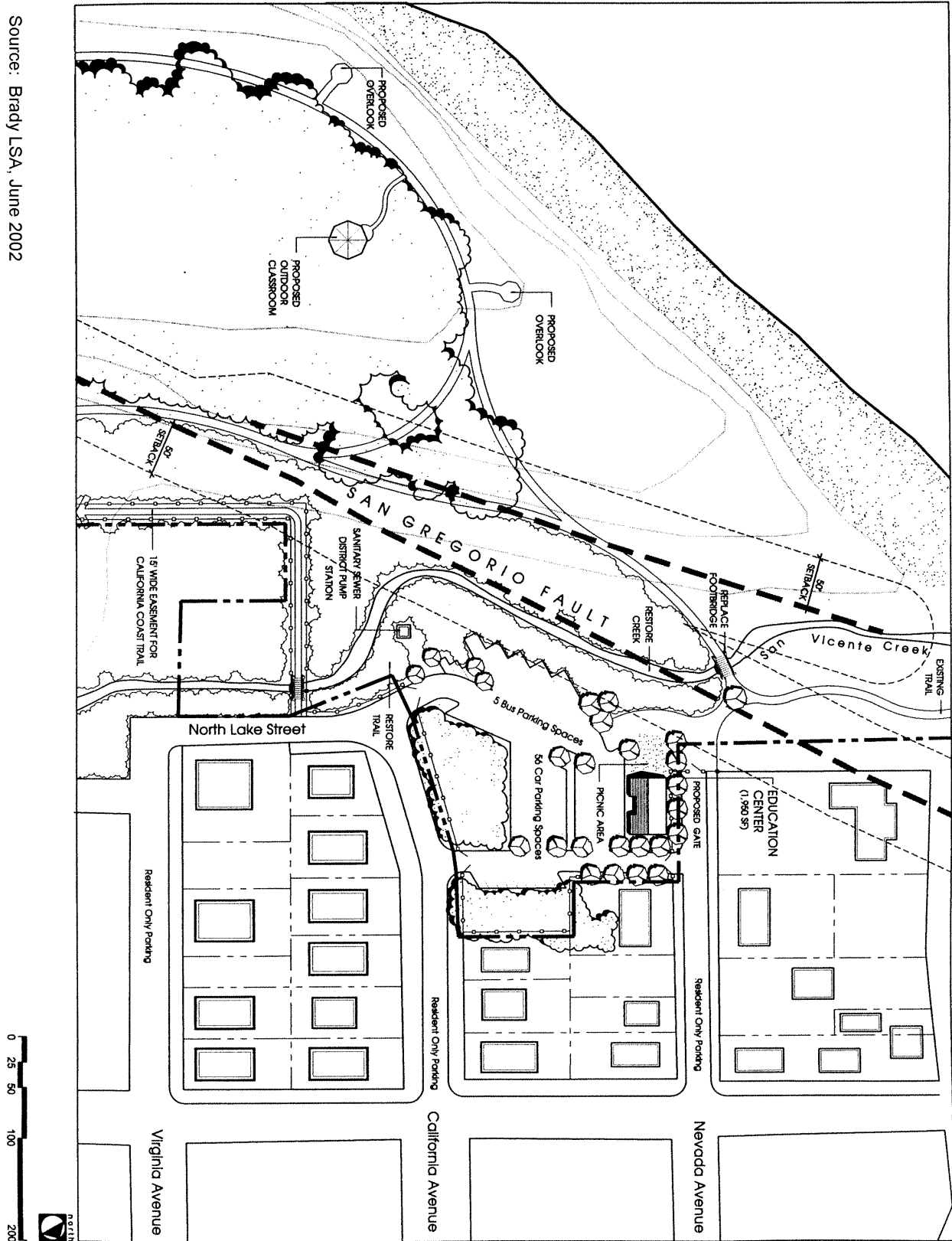
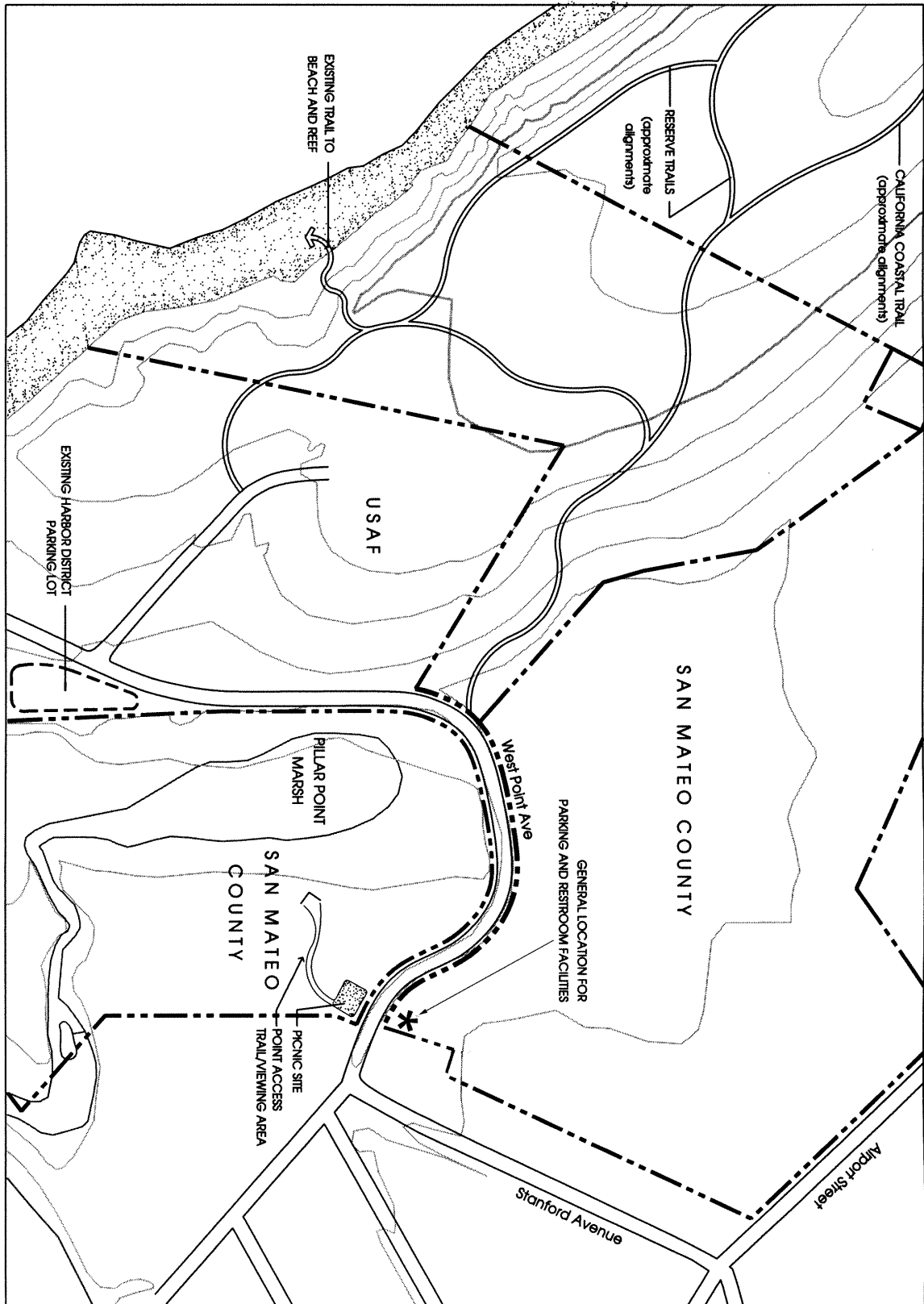
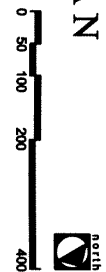


Figure II-5. Pillar Point Marsh Facilities General Location

Source: Brady LSA, June 2002

FITZGERALD MARINE RESERVE MASTER PLAN



G. Phasing of Implementation

Master Plan pp. 67-68, 72-73

Phasing of the plan is expected to occur in three phases, as described below and shown in Table II-2. Although implementation of the Master Plan is expected to follow this general progression, it will depend on the ability to secure funding for programs and facilities, which may affect the timing of implementation.

Phase One (Year One). This phase includes those actions that should be undertaken immediately upon adoption of the Plan by the County. The first and most pressing of these actions is to expand Reserve staff so that the level of visitation can be controlled. All Visitor Management Program actions will be undertaken during this phase, although some of them may not be fully implemented before actions associated with the Resource Management Programs and Use and Facilities are completed.

Phase Two (Year Two). This phase could be undertaken during the first year, or it could follow Phase One. Actions recommended for this phase will require funding and team organization to accomplish. Ideally they could be implemented in an integrated effort with design and development of uses and facilities in a Resource Management and Facilities Plan process; however, if resources are limited, these actions should occur before development of facilities.

Phase Three (Years Three through Five). This phase will include physical development of facilities and completion of the educational and interpretive program. Funding must be identified for this phase, and resource management and visitor management programs will be underway prior to its completion.

Table II-2. Recommended Implementation Actions

Action	Responsibility	Phasing
Visitor Management Program Actions		
1. Limit Visitor Use (Policies 1-5)	Reserve staff	Phase One
2. Enforce Parking Regulations (Policies 6-8 & 16)	Board of Supervisors; County Public Works; County Sheriff; Reserve Staff	Phase One
3. Limit Visitor Activities (Policies 9-19)	County Sheriff; Reserve Staff	Phase One
Resource Management Program Actions		
1. Expand Reserve Staff	County Department of Parks and Recreation (P&R); Reserve Manager	Phase One
2. Prepare Monitoring Program to determine impacts of visitation, fishing and gathering on resources	P&R; Reserve Manager; California Department of Fish and Game (CDFG); National Marine Sanctuary (NMS)	Phase One
3. Develop Closure Plan (as needed)	CDFG; P&R; County Park and Recreation Commission; County Board of Supervisors; Consultants (marine biologists)	Phase One: as needed
4. Expand Reservation System	Reserve Manager	Phase One
5. Qualifications for Leaders	Reserve Manager; County Park and Recreation Commission; County Board of Supervisors; County Employee and Public Services Department	Phase One
6. Acquisition Program	P&R; County Park & Recreation Commission; County Board of Supervisors; California Coastal Conservancy; other non-profit organizations	Phase One

Action	Responsibility	Phasing
7. Partnerships Program	Reserve Manager and staff; Friends of Fitzgerald	Phase One & On-going
8. County Coordination	P&R	Phase One & On-going
9. Identify Funding Sources for Resource Management Programs	P&R; Reserve staff; Friends of Fitzgerald	Phase One
10. Prepare San Vicente Creek Restoration Plan	P&R; Reserve Manager; Consultants (hydrology, landscape architects)	Phase Two
11. Develop Habitat Management Plan for Red-legged Frog	P&R; Reserve Manager; Consultants (biologists)	Phase Two
12. Prepare Water Quality Plan (to improve water quality in drainages and reduce erosion)	P&R; Reserve Manager; Consultants (hydrologists, engineers)	Phase Two
13. Prepare Vegetation Management Plan	P&R; Reserve Manager; Consultants (biologists)	Phase Two
14. Marsh Restoration Study	P&R; Reserve Manager; Consultants (biologists, hydrologists)	Phase Two
15. Develop Cultural Resources Management Plan	P&R; Reserve Manager; Consultants (cultural resources, historian)	Phase Two
16. Seek Marine Life Reserve Status	P&R; County Parks & Recreation Commission; County Board of Supervisors; CDFG	On-going
Uses and Facilities Program Actions		
1. Identify Funding Sources for Capital Improvements	P&R; Reserve staff	Phase One
2. Facilities Development Program. Includes site and design studies for parking and restroom facilities (includes coordination with Harbor District)	P&R; Reserve staff; Consultants (landscape architects, architects, engineers)	Phase Three
3. Master Landscape and Trails Plan	P&R; Reserve staff; Consultants (landscape architects)	Phase Three
4. Educational & Interpretive Program	P&R; Reserve staff; Consultants (environmental education; graphic)	Phase Three
5. Sign Program	P&R; Reserve staff; Consultants (environmental education; graphic)	Phase Three

Source: Fitzgerald Marine Reserve Master Plan, Final Draft

H. Mitigation Incorporated into the Project

The following mitigation measures are activities that normally occur as part of commonly accepted Best Management Practices (BMPs) (such as those from the Bay Area Air Quality Management District for dust control during construction), or conformance to existing County or State codes and statutes, such as a Noise Ordinance. In many cases, Master Plan policies have been written to avoid or reduce impacts to less than significant levels. Mitigation incorporated into the project is listed in this section below and will be referenced in the Mitigation, Monitoring and Reporting Plan as part of this EIR.

1. Aesthetics

New facilities, signage, and fencing would be designed to harmonize with the surroundings and to be visually unobtrusive as required by the Site Design Criteria of the

County Zoning Regulations. Signs and fencing would meet San Mateo County Park trail and sign guidelines and would be relatively small and discreetly colored. The exterior of the proposed new Education Center would be selected from a muted palette. Outdoor lighting may be installed for safety at the Reserve's main visitor facility. If so, lighting will be designed to be directed downward and will include glare guards to minimize off-site spill.

It is estimated that the current plan will require the removal of approximately 18 cypress trees of varying size during the renovation of the Reserve entrance area. The removal of the cypress trees in the entrance area will be the most noticeable change in the visual character of this area as seen from the houses immediately adjacent to the Reserve entrance. Although this change will be noticeable, it will not be a substantial degradation of the visual character of the entrance area since the area will remain a cypress grove. Changes that would potentially be considered substantial could include the removal of all the cypress trees or construction of buildings that are inappropriate for the setting. Since such changes will not occur as a result of the proposed project, the project will not substantially degrade the existing visual character of the site.

Additional cypress trees may also be removed for construction of the proposed outdoor classroom located within the cypress grove southwest of San Vicente Creek. This would not substantially alter visual setting of the cypress grove. The outdoor classroom would consist of log benches, a floor of gravel or another permeable surface, and a wood overhead covering. Its character will fit with the existing surroundings, and it will only be visible from within or near the cypress grove.

Facilities proposed at Pillar Point Marsh would be located primarily in an existing gravel and dirt area, upslope from the freshwater and brackish marshes, and adjacent to willows in the freshwater marsh. Construction at this location will not obstruct any scenic views. The improvements will not create a significant distraction from visual enjoyment of the Marsh

2. Air Quality

During construction of the Education Center and parking areas, the Bay Area Air Quality Management District's standard mitigation Best Management Practices for construction sites would be implemented to ensure that the emissions of particulate material are controlled to a less than significant level (BAAQMD, 1999).

Applicable Best Management Practices include:

1. Water all active construction areas at least twice daily and more often during windy periods.
2. Cover all trucks hauling soil, sand and other loose materials and require all trucks to maintain at least two feet of freeboard.
3. Pave, apply water three times daily, or apply (non toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
4. Sweep daily (preferably with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
5. Sweep streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.

3. Cultural Resources

Four cultural resource sites have been confirmed within the boundaries of the Reserve, and a brief description of these sites is included in the Master Plan. The Reserve also includes the historic Smith-Dolger home site. Activities associated with the proposed project would be implemented with attention to cultural and historic resources, in order to avoid adverse impacts.

The following recommended implementation action included in the Master Plan specifies creating a plan to govern management of cultural resources within the Reserve:

Recommended Implementation Action 15. Develop a Cultural Resources Management Plan to guide management of cultural resources within the Reserve. These resources include the four identified archaeological sites and the Smith-Dolger home site. The Cultural Resources Management Plan should assess the presence of and potential for cultural resources, including prehistoric and historic archaeological sites, historic structures and buildings. The Cultural Resources Management Plan should provide for protection of the sites while allowing expanded interpretive and educational opportunities for visitors to the Reserve.

The Cultural Resources Management Plan should contain enough information so that all proposed ground disturbing activities included in the Master Plan can be carried out without impacting cultural or historical resources. An investigation of the potential for cultural resources in the Pillar Point Marsh area should be included in the Cultural Resources Management Plan.

a. Smith-Dolger Site

The Master Plan includes Natural Resources Management Policy 9: Maintain the historic character and health of the plant community at the Smith-Dolger historic site. Further elaboration of this policy is as follows:

The landscape surrounding the historic Smith-Dolger home contributes to the historic character of the site. Some of the plants, such as the palm trees, are not native, but are typical of early California residential settlements of this period. This landscape should be protected and maintained. Invasive non-native plants that are not part of the historic landscape should be removed from around the home and archaeological site; other non-natives should be maintained as needed to protect the historic character of the site.

The Cultural Resources Management Plan should provide enough information so that it is clear which areas must be protected and maintained as part of the historic landscape. The areas where invasive non-native plants can be removed without impacting the historical resource should also be identified in the Cultural Resources Management Plan.

b. Archaeological Sites

The Uses and Facilities Program includes construction of a new footbridge over San Vicente Creek. Since the footbridge over San Vicente Creek washed out in the 1997, a smaller footbridge made of an anchored log has been used to cross the creek upstream of the former bridge location. The existing footbridge is located in close proximity to prehistoric archaeological site 4-Sma-133. The location for the proposed footbridge would be determined as part of the proposed San Vicente Creek Restoration Plan (Natural Resource Management Program, Recommended Implementation Action #10). The Uses and Facilities Program also includes trail restoration and improvements. Specific trail alignments would be determined as part of the Master Landscape and Trails Plan (Uses and Facilities Program, Recommended Implementation Action #2).

Alignment and construction of trails and the footbridge will follow Cultural Resource Protection Design Guidelines (Section 3.9) included in the San Mateo County Trails Plan, listed below:

D.G. 3.9.1 Avoidance. Trail design shall avoid adverse impacts to cultural resources. If avoidance is not possible, impacts should be minimized by avoiding areas where resources are known to exist.

D.G. 3.9.2 Buried Resources. During excavation of each individual trail, construction personnel shall look out for buried archaeological resources and human remains. If these resources are discovered, construction shall cease until a qualified archaeologist has studied the resources. All identified archaeological sites shall be evaluated using the California Register of Historical Resources criteria. The archaeologist shall identify the proper course of action to reduce project impacts on cultural resources. This shall include studying and reporting on the site to ensure that data is available to future researchers. Material recovered shall be donated to an appropriate repository for future study.

D.G. Human Remains/Objects. If prehistoric archaeological deposits that include human remains or objects considered “cultural items” according to the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered during construction, the County Coroner and a qualified archaeologist shall be notified immediately and NAGPRA regulations shall be followed. If remains are identified as American Indian, the tribe(s) shall be notified within one (1) working day and consultation shall be initiated. Project activities may resume 30 days after notifying the tribe(s). Repatriation of the other categories of items (funerary objects, sacred objects, and cultural patrimony) shall be based on evidence that indicates whether or not the original acquisition of the object was from an individual that had the authority to separate the item from the tribal group.

During any trail improvement work that occurs in the vicinity of the Reserve’s cultural resources, the Reserve rangers will rope off or otherwise exclude work activities from the resources.

c. Federal Funding or Permits

The Master Plan includes identifying funding for capital improvements (Uses and Facilities Program, Recommended Implementation Action #5). If federal funds are used or federal permits are required for implementation of parts of the Master Plan, then it will be necessary to comply with Section 106 of the National Historic Preservation Act, which requires consultation with the State Historic Preservation Officer and the Advisory Council on Historic Preservation prior to an action involving historic properties. This may also necessitate consultation with interested Native American entities prior to implementing these parts of the Master Plan.

4. Hazards and Hazardous Materials

The Initial Study states that “At most, there is a limited potential for use of hazardous materials in association with construction phases of the project” (p. III-22). Implementation of BMPs included in the EIR should sufficiently reduce the likelihood of upset or accident conditions. Fueling for vehicles used in the project construction will be subject to standard construction Best Management Practices (BMPs) as specified in the “Blueprint for a Clean Bay” (Bay Area Stormwater Management Agencies Association [BASMAA]). While it is recognized that any stormwater runoff will not enter the San Francisco Bay, relevant BMPs from that publication are listed here. Also listed here are General Construction and Site Supervision BMPs (published by the San Mateo Countywide Stormwater Pollution Prevention Program [STOPPP]). Implementation of these BMPs and others that local contractors commonly use will avoid impacts related to upset of hazardous waste or reduce potential impacts from upset of hazardous waste to less than significant levels.

Planning BMPs

- Schedule excavation and grading activities for dry weather periods.

- Locate and protect storm drains in the vicinity of the site with berms or filters during wet weather periods. Make sure all subcontractors are aware of the locations of the storm drains to prevent pollutants from entering them.
- Control the amount of runoff crossing the site (especially during excavation) by using berms or temporary or permanent drainage ditches to divert water flow around the site. Reduce stormwater runoff velocities by constructing temporary check dams or berms where appropriate.
- Train employees and subcontractors in using best management practices.

Good Housekeeping Practices

- Keep all liquid paint products and wastes away from the gutter, street, and storm drains.
- Designate one completely contained area for auto parking, vehicle refueling, and routine equipment maintenance. The designated area should be well away from streams or storm drain inlets, and bermed if necessary. Make major repairs and wash vehicles at an appropriate off site facility.
- Keep materials out of the rain – prevent runoff contamination at the source. Cover exposed piles of soil or construction materials with plastic sheeting or temporary roofs.
- Keep pollutants off exposed surfaces. Place trash cans and recycling receptacles around the site to minimize litter.
- Dry sweep paved surfaces that drain to storm drains, creeks, or channels. If pavement flushing is necessary, use silt ponds or other techniques to trap sediment and other pollutants.
- Clean up leaks, drips and other spills immediately so they do not contaminate soil or groundwater or leave residue on paved surfaces. Use dry cleanup methods whenever possible. If you must use water, use just enough to keep the dust down.
- Cover and maintain dumpsters. Check frequently for leaks. Place dumpsters under roofs or cover with tarps or plastic sheeting secured around the outside of the dumpster. A plastic liner is recommended to prevent leakage of liquids. Never clean out a dumpster by hosing it down on the construction site.
- Make sure portable toilets are maintained in good working order by the leasing company and that wastes are disposed of properly. Check toilets frequently for leaks.

Materials/waste handling BMPs

- Use recyclable materials whenever possible. Arrange for pick-up of recyclable materials such as concrete, asphalt, scrap metal, solvents, degreasers, cleared vegetation, paper, rock, and vehicle maintenance materials such as used oil, antifreeze, batteries and tires.
- Dispose of all wastes and demolition debris properly. Many construction materials can be recycled. Materials and debris that cannot be recycled must be taken to an appropriate landfill or disposed of as hazardous waste. Never bury waste materials or leave them in the street or near a creek or stream bed.

5. Hydrology and Water Quality

As described in the Initial Study, the proposed project does not include significantly increasing the area of impermeable surfaces at the Reserve. The new parking lot at the Pillar Point Marsh is the only significant area that will be subject to drainage improvements. However, since this site is currently degraded from dumping of fill material, the implementation of these improvements is not expected to cause adverse impacts. The following elements of this parking lot will ensure that significant impacts to water quality do not occur:

- It will be covered with gravel and berms will be placed between the actual parking area and the existing riparian area;
- The complete lot will be graded so that water will go to the street (not to the adjacent riparian area.)

In addition, the following BMPs from STOPPP will avoid or reduce construction-related impacts to water quality, both for the Pillar Point Marsh area and the main Reserve area:

- Develop and implement erosion/sediment control plans for trail embankments.
- Avoid paving and seal coating in wet weather, or when rain is forecasted to prevent materials that have not cured from contacting stormwater runoff.
- Cover and seal catch basins and manholes when applying seal coat, slurry seal, or similar materials.
- Protect drainage ways by using earth dikes, waddles, silt fences, straw bales, sand bags, or other controls to divert or trap and filter runoff.
- Cover stockpiles and other construction materials with plastic tarps. Protect from rainfall and prevent runoff with temporary roofs or plastic sheets and berms.
- Check all equipment for leaks and repair leaking equipment properly.
- Perform major maintenance, repairs, and washing of equipment away from the construction site.
- Clean up all spills and leaks using “dry” methods (with absorbent materials/rags), or dig up and remove contaminated soil.
- Collect and recycle or appropriately dispose of excess abrasive gravel or sand.
- Avoid over-application of water trucks for dust control.

Additionally, the Master Plan includes a policy and recommended implementation actions that are designed to avoid impacts and make improvements to water quality. Natural Resource Management Policy #6 states that water quality improvements in San Vicente Creek and Pillar Point Marsh will be undertaken. This policy is intended to include drainage improvements, removal of fill in the San Vicente Creek drainage, implementation of Best Management Practices (BMPs), enforcement of non-point source water quality regulations, and coordination with surrounding landowners and local communities and agencies. Natural Resource Recommended Implementation Actions #10 (preparation of a creek restoration plan for San Vicente Creek) and #12 (preparation of water quality management plan) will be part of the implementation of this policy.

The proposed water quality management plan would include San Vicente Creek, the Sunshine Valley Creek drainage, Denniston Creek and Pillar Point Marsh. Since San Vicente Creek is listed under Section 303 (d) of the Clean Water Act as impaired by a high coliform count, the management plan should investigate the sources that contribute to this high coliform count and make recommendations for ways to reduce the coliform level. The analysis and recommendations included in the water quality management plan should consider the effects of allowing horseback riding and dog walking on the stretch of the California Coastal Trail that passes through the Reserve and crosses San Vicente Creek.

6. Noise

At the time the Initial Study was prepared, potentially significant noise impacts were noted. Since the only substantial source of noise created by the project would be temporary and construction related, it has been determined that no significance thresholds will be exceeded by the proposed project. The project will not significantly change use patterns at the Reserve since the hours the Reserve is open to the public will not change, and the Master Plan includes limiting the number of visitors to the reef areas. At present, cars and buses driving to the Reserve contribute to the noise environment. Implementing the Master Plan will not expand this noise source, and may cause it to decrease it since the Master Plan includes limiting the number of visitors to the reef areas.

The Master Plan includes parking, picnic, and restroom facilities in the Pillar Point Marsh area. The construction of these facilities may increase use of this area, but these facilities would not be located in close proximity to residences or other sensitive receptors. The potential increase in noise resulting from these improvements would be from traffic and recreational use of the Marsh area by the public, and would not exceed noise standards.

Potential noise impacts will be temporary and related to the construction of the proposed Education Center. Adherence to the San Mateo County noise ordinance and implementation of standard noise BMPs will reduce potentially significant construction related noise to a less than significant level. Noise associated with demolition, construction, repair, remodeling, or grading is exempt from noise standards identified in the San Mateo County Ordinance Code, provided that the activities are limited to the hours between 7:00 AM to 6:00 PM on weekdays and 9:00 AM and 5:00 PM on Saturdays (Section 4.88.360 of County Ordinance Code). Additionally, no noise associated with construction activities may occur at any time on Sundays, Thanksgiving, and Christmas. Noise related to emergency machinery, vehicles, or work is also exempt from restrictions defined in the Noise Ordinance. Construction of the facilities included in the proposed project will occur only during the hours and days of the week specified above. Additionally, standard BMPs to reduce construction noise, such as requiring appropriate mufflers for large vehicles and prohibiting the use of loud radios by construction personnel at the site, will be used.

7. Public Services

The nearest fire station to the Reserve headquarters is run by the Point Montara Fire Department, at 501 Stetson St., in Moss Beach. The proposed Education Center site and the main portion of the Reserve is covered by both the Point Montara Fire Department and the Half Moon Bay Fire Protection District through an informal arrangement. The proposed project will not increase the permanent population in the area, nor would it increase the visitation to the extent that current fire personnel and coverage would not be sufficient. There will be no changes of roadway access to and from the site, thus the ability of fire protection services to reach the headquarters area will not be affected. The Pillar Point Marsh is covered by fire protection services by the Half Moon Bay Fire Protection District. The proposed parking area

and associated site features will not adversely affect the continued provision of fire protection services to this site.

As stated in the Initial Study, "The proposed project will not cause a need for additional police protection, because it will not lead to increased use of the Reserve. It may require additional enforcement, however, as the institution of paid parking at the main entrance of the Reserve may push visitors to the streets, and may eventually require a residents-only parking area that will need to be enforced, especially during peak visitation times. The revenue generated from tickets would likely pay for the time spent in enforcement; consequently, potential additional parking enforcement needs are not expected to be a significant impact" (p. III-35). Although parking tickets are expected to generate revenue, it may be necessary for the County to allocate additional funds to allow for the level of enforcement needed.

8. Utilities/Service Systems

As stated in the Initial Study, the project's facilities at the main entrance, including the Education Center, would be served by existing sewer lines, and are not expected to generate a significant increase in wastewater compared with existing conditions. The proposed Pillar Point Marsh restroom would be a new source of wastewater. The method of wastewater recovery, whether via a new sewer connection, or with a self-contained unit regularly serviced by the County, is not yet known. A septic tank will not be used at this location. There are currently no moratoriums on sewer connections in either the Montara or the El Granada Sanitary Districts, and both have additional wastewater capacity.

The proposed project would comply with existing all local statute and regulations related to solid waste. Visitor Management Policy #12 states that the County of San Mateo Code of Ordinances, Sections 3.68.080 through 3.68.170, shall apply to activities within the Fitzgerald Marine Reserve and Pillar Point Marsh. The ordinances include the following provision related to solid waste disposal:

- e. Smoking of cigarettes and other tobacco products shall be permitted only in designated areas. Trash and cigarette receptacles shall be conveniently located at solid waste disposal collection points readily serviceable by solid waste disposal contractors within developed facilities to encourage appropriate waste disposal. A "pack it in and pack it out" waste disposal policy shall be in effect for trails and remote vista points.

III. Plan Consistency

This section evaluates the consistency of the policies in the proposed Fitzgerald Marine Reserve with the established plans and policies of the government agencies regulating land use at either the Fitzgerald Marine Reserve or at the Pillar Point Marsh area. To determine project consistency, the policies in the Master Plan are compared to the adopted plans and policies of the land use agencies and the missions of the park and open space agencies.

Since this is an existing County Park, administered by and under the jurisdiction of the County, the relevant local plans and policies are the San Mateo County Local Coastal Program, County Zoning Code, and the San Mateo County Trails Master Plan. State agencies addressed in this section with jurisdiction within the Reserve include the California Department of Fish and Game, California State Water Resources Control Board, California Regional Water Quality Control Board (San Francisco Bay Region), California Coastal Commission, and California State Lands Commission. Federal agencies addressed in this section with jurisdiction within the Reserve include U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and National Marine Fisheries Service, Gulf of the Farallones National Marine Sanctuary, Monterey Bay National Marine Sanctuary, National Park Service - Golden Gate National Recreation Area, and U.S. Bureau of Land Management - California Coastal National Monument. The Master Plan policies and implementation actions are consistent with relevant policies as listed below.

A. Consistency with Local Plans and Policies

1. San Mateo County Local Coastal Program

The California Coastal Act requires the development of a Local Coastal Program for all jurisdictions (cities and counties) located within the Coastal Zone. Once a jurisdiction's Local Coastal Program is approved by the Coastal Commission, the jurisdiction is given land use authority within the coastal zone. In 1980, San Mateo County's Local Coastal Program (LCP) was approved by the Coastal Commission. The County then assumed responsibility for issuing coastal development permits for any development within the coastal zone. All development within the Coastal Zone requires a Coastal Development Permit or an exemption from permit requirements. All development must comply with LCP policies in order to obtain a permit.

The LCP is the County's implementation of the Coastal Act and derives its policy direction from the Coastal Act. According to the Coastal Act, the basic goals of the state for the coastal zone are to:

- (a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.
- (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
- (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- (d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- (e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone. (California Coastal Act, Section 30001.5)

In implementing the Coastal Act, the San Mateo County LCP policies include protection of natural resources such as wetlands and sensitive habitats. Additional policies include

providing coastal access, facilitating coastal dependent development, and encouraging visitor-serving facilities. The San Mateo County LCP includes the following components: Locating and Planning New Development, Public Works, Housing, Energy, Agriculture, Aquaculture, Sensitive Habitats, Visual Resources, Hazards, Shoreline Access, Recreation/Visitor Serving Facilities, and Commercial Fishing/Recreational Boating.

The LCP is the applicable General Plan for development within the Coastal Zone of San Mateo County, where the Reserve and Marsh are located, and applies to all areas located above the mean high-tide line. Through the LCP, San Mateo County assumes responsibility for implementing the State Coastal Act administered by the California Coastal Commission. The Reserve is considered “Sensitive Habitat” under the LCP. Applicable policies and guidelines include:

Sensitive Habitats

- **7.3 Protection of Sensitive Habitats:** (a) Prohibit any land use or development which would have significant adverse impact on sensitive habitat areas; (b) Development in areas adjacent to sensitive habitats shall be sited and designed to prevent impacts that could significantly degrade the sensitive habitats. All uses shall be compatible with the maintenance of biologic productivity of the habitats.
- **7.4 Permitted Uses in Sensitive Habitats:** (a) Permit only resource dependent uses in sensitive habitats. Resource dependent uses for riparian corridors, wetlands, marine habitats, sand dunes, sea cliffs and habitats supporting rare, endangered, and unique species shall be the uses permitted in Policies 7.9, 7.16, 7.23, 7.26, 7.30, 7.33, and 7.44, respectively, of the County Local Coastal Program on March 25, 1986; (b) In sensitive habitats, require that all permitted uses comply with U.S. Fish and Wildlife and State Department of Fish and Game regulations.
- **7.5 Permit Conditions:** (a) As part of the development review process, require the applicant to demonstrate that there will be no significant impact on sensitive habitats. When it is determined that significant impacts may occur, require the applicant to provide a report prepared by a qualified professional which provides: (1) mitigation measures which protect resources and comply with the policies of the Shoreline Access, Recreation/Visitor-Serving Facilities and Sensitive Habitats Components; and (2) a program for monitoring and evaluating the effectiveness of mitigation measures. Develop an appropriate program to inspect the adequacy of the applicant’s mitigation measures. (b) When applicable, require as a condition of permit approval the restoration of damaged habitat(s) when in the judgment of the Planning Director restoration is partially or wholly feasible.
- **7.7 Definition of Riparian Corridors:** Define riparian corridors by the “limit of riparian vegetation” (i.e., a line determined by the association of plant and animal species normally found near streams, lakes, and other bodies of freshwater: red alter jaumea, pickleweed, big leaf maple, narrow-leaf cattail, arroyo willow, broadleaf cattail, horsetail, creek dogwood, black cottonwood, and box elder). Such a corridor must contain at least a 50% cover of some combination of the plants listed.
- **7.11 Establishment of Buffer Zones:** (a) On both sides of riparian corridors, from the “limit of riparian vegetation” extend buffer zones 50 feet outward for perennial streams and 30 feet outward for intermittent streams. (b) Where no riparian vegetation exists along both sides of riparian corridors, extend buffer zones 50 feet from the predictable high water point for perennial streams and 30 feet from the midpoint of intermittent streams. (c) Along lakes, ponds, and other wet areas, extend buffer zones 100 feet from the high water point except for manmade ponds and reservoirs used for agricultural purposes for which no buffer zone is designated.

• **7.12 Permitted Uses in Buffer Zones:** Within buffer zones, permit only the following uses: (1) uses permitted in riparian corridors, (2) residential uses on existing legal building sites, setback 20 feet from the limit of riparian vegetation, only if no feasible alternative exists, and only if no other building site on the parcel exists, (3) in Planned Agricultural, Resource Management and Timber Preserve Districts, residential structures or impervious surfaces only if no feasible alternative exists, (4) crop growing and grazing consistent with Policy 7.9, (5) timbering in “streamside corridors” as defined and controlled by State and County regulations for timber harvesting, and (6) no new residential parcels shall be created whose only building site is in the buffer area.

• **7.14 Definition of Wetland:** Define wetland as an area where the water table is at, near, or above the land surface long enough to bring about the formation of hydric soils or to support the growth of plants which normally are found to grow in water or wet ground. Such wetlands can include mudflats (barren of vegetation), marshes, and swamps. Such wetlands can be either fresh or saltwater, along streams (riparian), in tidally influences areas (near the ocean and usually below extreme high water of spring tides), marginal to lakes, ponds, and manmade impoundments. Wetlands do not include areas which in normal rainfall years are permanently submerged (streams, lakes, ponds and impoundments), nor marine or estuarine areas below extreme low water of spring tides, nor vernal wet areas where the soils are not hydric. In San Mateo County, wetlands typically contain the following plants: cordgrass, pickleweed, jaumea, frankenia, marsh mint, tule, bulrush, narrow-leaf cattail, broadleaf cattail, pacific silverweed, salt rush, and bog rush. To qualify, a wetland must contain at least 50% cover of some combination of these plants, unless it is a mudflat.

• **7.15 Designation of Wetlands:** (a) Designate the following as wetlands requiring protection: Pescadero Marsh, Pillar Point Marsh, marshy areas at Tunitas Creek, San Gregorio Creek and Gazos Creek, and any other wetland meeting the definition in Policy 7.14; (b) At the time a development application is submitted, consider modifying the boundary of Pillar Point Marsh if a report by a qualified professional, selected jointly by the County and the applicant, can demonstrate that land within the boundary does not meet the definition of wetland.

• **7.18 Establishment of Buffer Zones:** Buffer zones shall extend a minimum of 100 feet landward from the outermost line of wetland vegetation. This setback may be reduced to no less than 50 feet only where (1) no alternative development site or design is possible; and (2) adequacy of the alternative setback to protect wetland resources is conclusively demonstrated by a professional biologist to the satisfaction of the County and the State Department of Fish and Game. A larger setback shall be required as necessary to maintain the functional capacity of the wetland ecosystem.

• **7.19 Permitted Uses in Buffer Zones:** Within buffer zones, permit the following uses only: (1) uses allowed within wetlands (Policy 7.16) and (2) public trails, scenic overlooks, and agricultural uses that produce no impacts on the adjacent wetlands.

• **7.20 Management of Pillar Point Marsh:** (a) Define safe yield from the aquifer feeding the marsh as the amount of water that can be removed without adverse impacts on marsh health. (b) Restrict groundwater extraction in the aquifer to a safe yield as determined by a hydrologic study participated in by the two public water systems (CUC and CCWD). Water system capacity permitted and the number of building permits allowed in any calendar year shall be limited if necessary by the findings of the study. (c) Encourage purchase by an appropriate public agency such as the Coastal Conservancy. (d) Encourage management of the marsh to enhance the biological productivity and to maximize wildlife potential. (e) All adjacent development shall, where feasible, contribute to the restoration of biologic productivity and habitat.

- **7.23 Permitted Uses in Marine and Estuarine Habitats:** *In marine and estuarine habitats, permit only the following uses: (1) nature education and research; (2) consumptive uses as provided for in the Fish and Game Code and Title 14 of the California Administrative Code; (3) fishing; and (4) fish and wildlife management.*
- **7.30 Sea Cliffs Permitted Uses:** *(a) Where nesting or roosting exists, permit only education and research activities. (b) Where nesting or roosting does not exist, permit only the following uses: (1) education and research, (2) limited foot paths, (3) limited recreational rock climbing, (4) road and underground utility construction where no feasible alternative exists, and (5) intake or outfall lines provided that the habitat is not threatened.*
- **7.31 Sea Cliffs Development Standards:** *(a) Restrict pedestrian traffic in bluff and cliff areas and on faces to a limited number of well-defined trails which avoid seabird nesting and roosting sites. (b) Post signs informing recreational users not to disturb natural vegetation or nesting and roosting sites.*
- **7.33 Rare and Endangered Species Permitted Uses:** *(a) Permit only the following uses: (1) education and research, (2) hunting, fishing, pedestrian and equestrian trails that have no adverse impact on the species or its habitat, and (3) fish and wildlife management to restore damaged habitats and to protect and encourage the survival of rare and endangered species; (b) If the critical habitat has been identified by the Federal Office of Endangered Species, permit only those uses deemed compatible by the U.S. Fish and Wildlife Service in accordance with the provisions of the Endangered Species Act of 1973, as amended, meet the definition of wetland.*
- **7.52 Weedy, Undesirably Plants Public Agency Requirements:** *Require public agencies, to the point feasible, to remove the undesirable pampas grass and French, Scotch, and other invasive brooms from their lands.*

Visual Resources

- **8.4 Cliffs and Bluffs:** *(a) Prohibit development on bluff faces except public access stairways where deemed necessary and erosion control structures which are in conformity with coastal policies on access and erosion; (b) Set back bluff top development and landscaping from the bluff edge (i.e., decks, patios, structures, trees, shrubs, etc.) sufficiently far to ensure it is not visually obtrusive when viewed from the shoreline except in highly developed areas where adjoining development is nearer the bluff edge, or in special cases where a public facility is required to serve the public safety, health, and welfare.*
- **8.5 Location of Development:** *(a) Require that new development be located on a portion of a parcel where the development: (1) is least visible from State and County Scenic Roads; (2) is least likely to significantly impact views from public viewpoints; and (3) is consistent with all other LCP requirements, best preserves the visual and open space qualities of the parcel overall. Where conflicts in complying with this requirement occur, resolve them in a manner which on balance most protects significant coastal resources on the parcel, consistent with Coastal Act Section 30007.5. Public viewpoints include, but are not limited to, coastal roads, roadside rests and vista points, recreation areas, trails, coastal accessways and beaches. This provision does not apply to enlargement of existing structures, provided that the size of the structure after enlargement does not exceed 150 percent of the pre-existing floor area, or 2,000 square feet, whichever is greater. This provision does not apply to agricultural development to the extent that application of the provision would impair any agricultural use or operation on the parcel. In such cases, agricultural development shall use appropriate building materials, colors, landscaping and screening to eliminate or minimize the visual impact of the development. (b) Require, including by clustering if necessary, that new parcels have building sites that are not visible from State and County scenic roads and will not significantly impact views from other*

public viewpoints. If the entire property being subdivided is visible from State and County scenic roads or other public viewpoints, then require that new parcels have building sites that minimize visibility from those roads and other public viewpoints.

- **8.6 Streams, Wetlands and Estuaries:** (d) Retain wetlands intact except for public access ways designed to respect the visual and ecological fragility of the area and adjacent land.

Shoreline Access Component

- **10.9. Public Safety:** (a) Provide safe access to the following shoreline destinations which are large enough to accommodate public safety improvements and public use: (1) beaches which are large enough to provide space for easy retreat from normal tidal action, (2) bluffs which are large enough and of a physical character to accommodate safety improvements and which provide room for public use as a vista point, and (3) beaches and bluffs designated appropriate for public use in the Site Specific Recommendations for Shoreline Destinations (Table 10.6).

- **10.10 Fragile Resources (Sensitive Habitats):** (a) Require the establishment of public access to sensitive habitats or their buffer zones, through grants or dedications of easements or other means, at the time a Coastal Development Permit is processed. Open the access in sensitive habitats or their buffer zones for public use only when development standards and management practices are adequate to protect the resources (see Sensitive Habitats Component and Policies 10.23 and 10.25; (b) Discourage public use of existing established access trails if the present level of use is causing the deterioration of a sensitive habitat. Specifically: (1) Close such trails when an existing or potential alternative trail is available for the same beach or bluff area; (2) When no alternative is available, mitigate the access impact through improved management and design consistent with Policies 10.25 and 10.26, wherever possible. Close trails only if permanent, irreversible damage to a habitat is causing its destruction; (3) Where a trail to the beach is closed, provide a bluff top access point or trail for public viewing of the shoreline consistent with Policy 10.9(a); (4) Prohibit development that would prevent the future provision of improved access; (5) Allow closely monitored access for scientific and educational research by organized study groups.

- **10.14 Military Sites:** Encourage the establishment and improvement of vertical (trails) and lateral (shoreline destinations) public access in military facilities when not used for high security activities.

- **10.17 Minimum Development Standards for Lateral Access (Shoreline Destinations) with Coastal Bluffs:** (a) Provide access for the general public between the mean high tide line and the base of the bluff where there is adequate room for public use; (b) Because of scenic or recreational value, provide a pathway with a right-of-way at least 25 feet in width, which allows feasible unobstructed public access along the top of the bluff when no public access will be provided to the area between the mean high tide line and the base of the bluff because of safety and/or other considerations, and/or when the Site Specific Recommendations for Shoreline Destinations (Table 10.6) requires one; (c) Require bluff top setbacks, based upon site specific geologic and erosion conditions, to ensure safe and continued use.

- **10.37 Fitzgerald Marine Reserve:** Continue to provide for the improvement, expansion, and maintenance of access to the Fitzgerald Marine Reserve according to Table 10.6, Site Specific Recommendations. Accept dedications of access easements or fee interests which provide access to or expand the size of the Reserve.

The following information is specific to the proposed project and thus does not include all data found in Table 10.6: Site Specific Recommendations for Shoreline Destinations of the LCP.

• **Fitzgerald Marine Reserve:**

Special Consideration:

1. *Develop access along the bluffs and to the beaches of the Fitzgerald Marine Reserve in stages as public funding is available to adequately improve and manage the access and protect the resources. The access should be oriented to education and nature viewing and interpretation, particularly in the northern and central sections.*
2. *Begin improvements and acquisitions for access in the northern section of the Reserve and focus on improvement of the established access point at North Lake Street and bluffs above the beaches.*

• Beach between Reef Point Road and North Lake Street

1. *Expand the permanent exhibit to more thoroughly instruct the public on the special qualities of the reserve and how their behavior can damage this resource;*
2. *Distribute brochures describing in greater detail the marine life of the Reserve;*
3. *Schedule tours for the general public;*
4. *Develop parking for bicycles.*

• Bluff Area North Lake Street to Cypress Avenue

1. *Consolidate trails into several established trails along the bluff connecting with viewpoints and an eventual continuous trail along the bluff above the Fitzgerald Marine Reserve;*
2. *Develop educational displays at viewpoints along the trail. Encourage establishment of the Marine Biological Exhibit Center;*
3. *Pave sections, at least of trails for wheelchair accessibility. Provide designated disabled parking spaces near the trailhead.*

• Bluff Parallel to Vallemar Street

1. *Develop an interpretive trail along the bluff parallel to Vallemar Street;*
2. *Access to the beaches, with priority given to the beach at the end of Wienke Way, could be improved at a later stage than the bluff trail. Some provision to either close off the beaches or sign the trails should be provided at the time the bluff trail is improved to protect public safety and the beaches' natural resources;*
3. *Develop access parking on the vacant lot at the corner of Vallemar Street and Juliana Avenue, including bicycle parking;*
4. *Sign and improve access to the bluff from the end of Juliana Avenue and Wienke Way. This will be the major public access to the bluff. The other trails along Vallemar Street should remain open, however.*

• Reef Point Road and Arbor Way Viewpoint

1. *Develop the existing access easement along Reef Point Road to connect via Wienke Way with the path along the bluff parallel to Vallemar Street;*
2. *Improve the existing scenic easement at the end of Arbor Way as a viewpoint;*
3. *Build a staircase, though it could be delayed to a later stage, to provide access to the beach between Reef Point Road and North Lake Street and a connection for a continuous trail from the north which would cross this beach and continue along the bluff at North Lake Street.*

• Beach and Bluff North of the Pillar Point Radar Station

1. *Acquire and improve the access trail from the Radar Station Road to the beach as shown in the County Parks and Recreation Division Concept Plan;*
2. *Develop a trail along the bluff linking to the beach trail and leading north to Moss Beach.*

Special Consideration: Undertake the second phase of acquisition and improvements for access to the Reserve in the southern section near Pillar Point. The trail to the beach should be the first priority for improvement; the bluff trail could be developed later.

• Beaches in the Central Section of the Fitzgerald Marine Reserve

1. *Develop beach access parking on undeveloped land;*
2. *Establish a trail along the bluff to connect these beaches to and complete a continuous trail through the Reserve.*

Special Consideration: Acquire and improve access to the beaches in the central section as the final stage of establishing access to the Reserve. Access should be improved to the northern beach as the first priority, and the southern beaches as use of other Reserve beaches increases and funds become available.

• Pillar Point Harbor-South and East Areas of Pillar Point

1. *Establish access trails to allow viewing of, but not intrusion, into the marsh;*
2. *Develop an entrance to the expanded Reserve as shown in the Department of Parks area and distribute brochures describing sensitive marsh and tidepool habitats at the entrance;*
3. *Tours should eventually be established. Before they are, tour groups should be directed to tours at the North Lake Street entrance;*
4. *Develop parking for the disabled and bicycles;*
5. *Provide a paved trail for wheelchair access to the beach from the parking lot.*

Recreation/Visitor Serving Facilities

• 11.4 Recreation and Visitor Serving Facilities Permitted in the Coastal Zone: *Permit the following facilities in the Coastal Zone: (1) necessary visitor serving facilities as defined in Policy 11.1, and (2) commercial recreation and public recreation facilities which (a) are designed to enhance public opportunities for coastal recreation, (b) do not substantially alter the natural environment.*

• 11.9 Ocean Front Land in Urban and Rural Areas: *(b) Permit facilities which require or are enhanced by an ocean front site to locate adjacent to the shoreline. Require the facilities: (1) comply with Sensitive Habitats Component Policies, (2) not substantially alter the natural environment through the removal of vegetation or alteration of the natural topography, (3) not require structures which obstruct or detract from existing ocean views in rural areas, and (4) minimize impacts on ocean views in urban areas; (c) Prohibit the following from locating adjacent to the shoreline (1) view obstructing recreation and visitor serving structures which are not significantly enhanced by an ocean front site, such as tennis courts, auto service stations, specialty shops, and (2) recreation and visitor serving facilities which require substantial removal of vegetation or alteration of the natural topography, such as golf courses.*

• 11.12 Sensitive Habitats: *(a) Permit recreation and visitor serving facilities to locate on lands adjacent to sensitive habitats only when: (1) there is adequate distance or separation by barriers such as fences, (2) the habitat is not threatened, and (3) there would not be substantial impacts on habitat, topography, and water resources; (b) Permit recreation or visitor serving facilities to locate adjacent to sensitive habitats only when development standards and management practices are adequate to protect the resources, consistent with Policy 11.18 and the Sensitive*

Habitats Component; (c) Discourage the expansion of public recreation into locations within or adjacent to sensitive habitats until the level of improvement and management of existing public recreation areas within or adjacent to sensitive habitats are consistent with the Sensitive Habitats Component.

• **11.13 Trails:** *(a) Establish a trails program for the Coastal Zone with the objective of: (1) connecting major shoreline to inland park and recreation facilities and trails, and (2) linking existing and proposed recreation facilities along the coast. (c) Require, when feasible, the use of existing road rights-of-way and immediately adjacent areas in determining the alignments for trails. Where existing road rights-of-way are infeasible, require that trail alignments be sited along property lines and be consistent with the Policy 11.11 on agriculture.*

• **11.14 Public Recreation Facilities:** *(a) Use the locational and development standards included throughout this component, the Agriculture Component and the applicable standards and planning and management guidelines of the County's Parks and Recreation Element as the development and management standards for public recreation facilities, including trails. LCP policies must predominate if there are conflicts. Seek any modifications in the classification of State Park Units which will conform their purposes and uses more closely to the policies of the LCP. (b) Use development standards of this component, the County's Parks and Recreation Element standards and the criteria for trail development management contained in Appendix 11.A when constructing trails. When the route of a bike path in the County's Bikeways Plan corresponds to the route of a trail included in the LCP trail program, construct the trail to accommodate both bicycle and pedestrian use, wherever possible. (c) Permit the following recreational facilities on lands designated low intensity public recreation: trails, interpretive facilities, family picnicking, parking not exceeding one auto space per 100 linear feet of beach or 50 acres of upland recreation, primitive camping, and one contact station per park unit. (d) Permit the following recreation facilities on lands designated medium intensity public recreation: all low intensity facilities, plus permanent restrooms, other forms of camping, group picnicking and parking not exceeding one auto space per 25 linear feet of beach or 10 acres of upland recreation. (e) Permit the following recreational facilities on lands designated high intensity public recreation: all low and medium intensity facilities, plus permanent concessions, lodging in enclosed buildings, and additional parking to accommodate permitted uses.*

• **11.18 Sensitive Habitats:** *(a) Conduct studies by a qualified person agreed by the County and the applicant during the planning and design phases of facilities located within or near sensitive habitats and archaeological/paleontological resources to determine the least disruptive locations for improvements and the methods of construction. These studies should consider the appropriate intensity of use, improvements and management to protect the resources and reduce or mitigate impacts. (b) Provide improvements and management adequate to protect sensitive habitats. These may include, but are not limited to, the following: (1) informative displays, brochures, and signs to minimize public intrusion and impact, (2) organized tours of sensitive areas, (3) landscaped buffers or fences, and (4) staff to maintain improvements and manage the use of sensitive habitats. (c) Provide setbacks from bluff edges adequate to protect the public, based on local geology and erosion rates and consistent with the Hazards Component.*

• **11.20 Utilities:** *(a) Require that sites for permitted recreation or visitor-serving facilities have or develop access to a public road in conformance with the policies of the Sensitive Habitats, Scenic Resources, and Hazards Component. (b) Encourage sites for recreation or visitor serving facilities to develop public restrooms, drinking water and telephones. (c) Require recreation and visitor-serving facilities to connect to public or community water and sewer systems wherever those exist.*

• **11.23 Low Cost Facilities:** *(a) Provide low cost or no cost visitor serving and public recreation facilities in public facilities.*

- **11.26 Requirements for Trails and Recreation Development:** (a) Require the dedication by public agencies of trail easements along the routes of the Gregorio/Murphy and LCP Trail Programs, including the Pacific Ocean Corridor Trail after submission by the State Department of Parks and Recreation of an acceptable alignment.
- **11.27 Improvement, Expansion and Maintenance of Public Recreation:** (a) Continue to provide for the improvement, expansion and maintenance of the Fitzgerald Marine Reserve and San Pedro Valley Park

Appendix 11.A Definitions, Standards, and Management Guidelines for Recreation and Visitor-Serving Facilities

- **Natural Preserve Planning and Management Guidelines:** (1) The prime resource of the area should be determined. Preservation and enhancement of the prime resource should be the most important management objective. Interpretation and enjoyment should be secondary management objectives; (2) Development should be limited to foot trails, protective barriers, regeneration of indigenous vegetation, overlooks, signs, sanitary facilities, parking areas, interpretive center and other minimal service facilities as may be required; (3) Emphasis should be placed on the protection of rare, endangered, unusual or educationally important natural resources; (4) Emphasis should be placed on locating natural preserves within 15 minutes of urban areas; (5) Access should be controlled to provide adequate resource protection and sufficient buffers from adjacent environment should be provided within its boundaries; (6) A Natural Preserve may be a separate unit of the County park system or may be contained within a County Park.

Consistency: The proposed Master Plan policies and implementation actions are consistent with those of the LCP. The primary policy directions of the LCP include preservation of natural resources and provision of coastal access to the public. It also emphasizes allowing coastal dependent development, visitor-serving facilities along the coast and providing recreational and educational opportunities in the coastal zone. The Reserve's primary mission is to preserve, protect, and interpret the resources within the Reserve for the people of the State of California. The Reserve is an important educational resource for San Mateo County and surrounding areas, and education is a primary focus of its mission.

Facilities proposed in the Master Plan are designed to avoid impacts to sensitive species and habitat and to protect the visual setting of the Reserve. The Master Plan provides an update to the Site Specific Recommendations for Shoreline Destinations of the LCP based on current management considerations. The Master Plan includes a trails program that provides additional access points to the beaches of the Reserve and a segment of the California Coastal Trail. There are no inconsistencies between the Reserve's primary mission and the County LCP. Both strive to protect natural resources, maximize public access to and along the coast, provide public recreational opportunities and implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

2. San Mateo County Zoning Code

The upland part of the Reserve and Pillar Point Marsh are zoned RM-CZ/DR/CD. The purpose of the Resource Management/Coastal Zone (RM-CZ) District is to implement the objectives and policies of the elements of the San Mateo County General Plan and to meet the requirements of Section 65910 of the Government Code of the State of California requiring formulation of an open space zoning ordinance. All development within the RM-CZ district requires a permit.

Permitted uses include public recreation. Development standards include minimum yard setbacks of 50 feet in the front and 20 feet to the side and rear. The Design Review (DR) Zoning Ordinance was implemented to provide a method by which the County could encourage the preservation and enhancement of property values and the visual character of communities and natural resources. Before issuance of a permit within a Design Review Combining District, proposed projects must conform to the following standards: grading must not create problems of drainage or erosion on the site or adjacent property; trees and other vegetative cover are to be removed only where necessary for development in order to reduce erosion and impacts on natural drainage channels, and to maintain surface runoff at an acceptable level; and paved areas are to be integrated into the site, related to their structure and landscaped to reduce visual impact from residential areas and from roadways.

The purpose of Coastal Development (CD) District is to implement the Coastal Act of 1976 in accordance with the Local Coastal Program of the County. The CD is an overlay district which applies in addition to other applicable districts. Development which requires a permit includes any significant alteration of the land including removal or placement of vegetation on a beach, wetland or sand dune, or within 50 feet of the edge of a coastal bluff, or stream or in areas of natural vegetation designated as sensitive habitat.

Consistency: The proposed Master Plan policies and implementation actions are in conformance with the San Mateo County Zoning Code. The use proposed for the Reserve and Marsh will continue to be public education and recreation, and will not change under the proposed Master Plan. Proposed facilities will comply with all conditions included in the Zoning Regulations. The facility improvements for both the main part of the Reserve and the Pillar Point Marsh area will require issuance of a permit, pursuant to the Development Review Procedure specified in Chapter 23 of the Zoning Regulations.

3. San Mateo County Trails Plan

In February 2001, the San Mateo County Board of Supervisors adopted the San Mateo County Trails Plan (Trails Plan). The Trails Plan proposes general trail alignments, policies, design guidelines, and use and management guidelines. The Plan is intended to serve as a framework for all future recreational trail planning in the cities and the County. The Trails Plan was adopted as part of the County General Plan and replaced the 1990 San Mateo County Trails Plan. The objectives of the Trails Plan are to:

- Provide an updated Trails Plan with the latest general alignments;
- Provide connection between municipal trail systems and County trails and other jurisdictions' trail systems;
- Link urban area residents with rural public lands of San Mateo County;
- Develop a set of policies and guidelines that can be used during detailed trails planning;
- Define environmental issues and mitigation measures to consider for trail planning, design, construction, and management;
- Streamline future environmental review of specific trail proposals;
- Provide access for recreation, transportation and education benefits;
- Improve access to and along the coast, San Francisco Bay and Ridgelines;
- Provide trail-related recreation opportunities to County residents;
- Provide an inventory of existing trails.

The Design and Management Guidelines are the component of the Trails Plan that is most pertinent to the Fitzgerald Marine Reserve Master Plan. These guidelines provide direction to the County for the implementation of new trails, reworking existing trails or maintenance of existing trails.

Consistency: The proposed Master Plan trails and trail/access policies and implementation actions are consistent with the County's Trails Master Plan. The Master Plan trails program includes a section of the California Coast Trail that crosses through the Reserve. This trail section would allow for multiple users, including bicyclists, horseback riders, and dog-walkers, which are not allowed in the rest of the Reserve. The California Coast Trail is one of the regional trail routes identified in the County Trails Plan, which is envisioned as a multiple-use trail that would accommodate a variety of trail users.

Uses and Facilities Program Recommended Implementation Action #2 is to prepare a Master Landscape and Trails Plan. The Master Plan specifies that this plan will be coordinated with the San Mateo County Trails Plan to ensure that trails located within the Reserve are linked with surrounding public trails, and that the design is consistent with County standards. Compliance with specific Design and Management Guidelines from the County Trails Plan is noted throughout this EIR as a measure to avoid environmental impact.

4. Bay Area Air Quality Management District

The California Air Resources Board establishes air quality and emission standards and rules for Air Quality Management Districts based on EPA guidelines under the Clean Air Act. Air Quality Management Districts are responsible for implementing local air quality controls and issuing permits for modifications or for new sources of air pollution. The project site is within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD).

Consistency: Implementation of the elements of the Master Plan would create temporary impacts to air quality related to project construction. Measures that would reduce impacts from construction dust are considered Best Management Practices (BMPs) as specified by the Bay Area Air Quality Management District. These BMPs will be incorporated as a condition of the building permit, and are intended to reduce effects to air quality during the construction phase. These BMPs are listed in this EIR in Chapter II, Project Description, in Section H. Mitigation Incorporated into the Project. No permanent impacts to air quality would result from implementation of the proposed project.

B. Consistency with State Plans and Policies

The Master Plan lists other State Agencies that have jurisdiction and/or regulatory oversight at the Reserve and/or Marsh areas. These include: California Department of Fish and Game, California State Water Resources Control Board, San Francisco Regional Water Quality Control Board, California Coastal Commission, and the California State Lands Commission. Each of these agencies' missions, policies and the Master Plan's consistency with these missions and policies is discussed here.

1. California Department of Fish and Game (CDFG)

As stated in Chapter I, Introduction, of this EIR, San Mateo County Parks and the California Department of Fish and Game are joint custodians of the Reserve. The Reserve encompasses 402 acres, including 370 acres of intertidal and subtidal marine habitat below the mean high tide line, and 32 acres of upland coastal bluff and beach above the mean high tide line. Below mean high tide, the Reserve is within the jurisdiction of the Monterey Bay National Marine Sanctuary and the Gulf of Farallones National Marine Sanctuary. The CDFG has management responsibility in the Reserve below the mean high tide line. Adoption of certain policies and implementation actions in the Master Plan, including any limitations to access or fishing and gathering within the tidal zone beyond those currently in place, requires the approval by the CDFG Commission along with the County Park and Recreation Commission and the County Board of Supervisors. As a State-designated Marine Life Refuge, CDFG regulations

place restrictions on take of invertebrates and fish species for recreational and commercial purposes in the Reserve.

CDFG also has oversight over the project through the California Endangered Species Act (CESA) (Fish and Game Code §2050), which provides for the recognition and protection of rare, threatened, and endangered species of plants and animals. The Act requires state agencies to consult with the CDFG to ensure that state-authorized or funded actions do not jeopardize the continued existence of a listed species. CDFG may authorize the taking of a listed species through a Memorandum of Understanding that establishes the extent of take permitted by CDFG and establishes required mitigation measures.

The CDFG has jurisdictional authority over wetland resources associated with rivers, streams, and lakes under California Fish and Game Code Section 1600 to 1607. The CDFG has the authority to regulate work that will substantially divert, obstruct or change the natural flow of a river, stream or lake; substantially change the bed, channel or bank of a river, stream, or lake; or use material from a streambed. Typical activities regulated by CDFG under Sections 1600-1607 authority include re-channeling and diverting streams, stabilizing banks, implementing flood control projects, river and stream crossings, diverting water, damming streams, gravel mining, and logging operations.

For projects that would result in impacts to riparian resources, the CDFG requires completion of a Streambed Alteration Agreement between the CDFG and the project proponent. The CDFG generally evaluates the information gathered during preparation of the environmental assessment document and attempts to satisfy their resource concerns during the environmental review process. In accordance with the CDFG policy of “no net loss” of wetland habitat, the Streambed Alteration Agreement can impose conditions on the proposed activity to ensure no net loss of wetland values or acreage. A Streambed Alteration Agreement may also include a mitigation program for impacts to all wetlands, regardless of acreage.

The Marine Life Protection Act (MLPA), Assembly Bill 993, was passed in 1999, and requires that CDFG develop a plan for establishing networks of marine protected areas in California waters. The MLPA is now included in Chapter 10.5 of the California Fish and Game Code, Sections 2850 to 2863. The MLPA outlines a program for CDFG to reexamine and redefine the state’s current Marine Protected Areas (MPAs) system to protect habitats and preserve ecosystem integrity, among other things. The purpose of the MLPA is to improve the array of Marine Protected Areas existing in California waters through the adoption of a Marine Life Protection Program and a comprehensive master plan. The master plan requires that recommendations be made for a preferred alternative network of MPAs with "an improved marine life reserve component."

The MLPA further states that, "it is necessary to modify the existing collection of MPAs to ensure that they are designed and managed according to clear, conservation-based goals and guidelines that take full advantage of the multiple benefits that can be derived from the establishment of marine life reserves." A Marine Life Reserve is an MPA in which all extractive activities, including the taking of marine species, and, at the discretion of the commission and within the authority of the commission, other activities that upset the natural ecological functions of the area, are prohibited” (California Fish and Game Code, Section 2851). The Department of Fish and Game (Department) is the lead agency charged with implementing the provisions of the MLPA.

Consistency: Comments from CDFG on the draft Master Plan state that CDFG is interested in reviewing scientific information generated by studies at the Reserve, although any future level of involvement in monitoring by CDFG would be limited by the availability of staff resources. CDFG recommended that additional data be collected before enacting any

limitations to fishing on the reefs, and this recommendation was incorporated into the final draft of the Master Plan.

The Master Plan and implementation actions are intended to protect and enhance sensitive species and habitat in the Fitzgerald Marine Reserve, which would include those species protected under the California Endangered Species Act. It is not expected that any of the policies or implementation actions included in the Master Plan would adversely impact any state-listed species. The proposed implementation of the Master Plan will follow mitigation measures that are provided in this EIR that will reduce or avoid significant effects on endangered species. These mitigation measures are discussed in detail in Chapter IV-A, Biological Resources, of this EIR, and would ensure that implementation of the Master Plan is consistent with CDFG policies.

Elements of the San Vicente Creek Restoration Plan, including the footbridge and removal of fill within the creek drainage, may require a Section 1601 Streambed Alteration Agreement. Implementation of the Creek Restoration Plan would be considered a separate project under CEQA and would be subject to environmental review.

The Master Plan includes a policy which specifies that the County will seek Marine Life Reserve Status, in which all extractive activities would be prohibited, for Fitzgerald Marine Reserve in the reclassification process defined by the Marine Life Protection Act. A determination will be made as part of the master plan process that CDFG is responsible for, and will be based on the results of ongoing studies monitoring impacts to the Reserve. The County will work cooperatively with the CDFG on this process. There are no inconsistencies between the Fitzgerald Marine Reserve Master Plan and the Marine Life Protection Act.

2. California State Water Resources Control Board

The State Water Resources Control Board (SWRCB) administers the California Wetlands Conservation Policy (Executive Order W-59-93) which establishes State guidelines for wetland conservation. The primary goal for this Executive Order is to ensure no overall net loss of wetlands and to achieve a long-term net gain in quantity, quality, and permanence of wetland acreage in California. In general, the SWRCB requires that any application proposing loss of wetlands also provide mitigation within the same section of the region, wherever possible, so that there will be no net loss of wetland acreage and no net loss of wetland value when the project and mitigation are evaluated together.

Consistency: The Master Plan contains policies and implementation actions to ensure that the Reserve's wetlands and marsh be maintained and restored, as necessary. Specifically, the Master Plan includes preparation of a restoration plan for San Vicente Creek and preparation of a water quality management plan for the creeks that drain into the Reserve and for Pillar Point Mash. No loss of wetlands would result from the implementation of the Master Plan policies. Thus, the Master Plan is consistent with the goals, objectives and policies, including the California Wetlands Conservation Policy of the SWRCB.

3. California Regional Water Quality Control Board, San Francisco Bay Region

The Regional Water Quality Control Boards (RWQCBs), through the State Water Resources Control Board (SWRCB), have jurisdiction over any water, surface or underground, including saline waters, within California (California Water Code section 13050[e]). This jurisdiction extends to all waters of the State and to all waters of the United States (under the Porter-Cologne and Clean Water Acts, respectively) and specifically states that wetlands, marshes, and mudflats are within the definition of State waters. The Fitzgerald Marine Reserve is within the jurisdiction of the San Francisco RWQCB.

The Porter-Cologne Act is the primary state regulation that addresses water quality. The requirements of the Act are implemented by the SWRCB at the state level and, at the local level, the RWQCB. Under the direction of the SWRCB, the RWQCBs carry out planning permitting and enforcement activities related to water quality in California.

The Clean Water Act (CWA) regulates water quality impacts from the construction and operation of development projects through the National Pollutant Discharge Elimination System (NPDES). Storm water runoff from construction sites one-acre or larger and runoff from the developed project must be controlled through the implementation of Storm Water Pollution Prevention Plans employing best management practices (BMPs) to control pollutants.

Consistency: The project is subject to the State Water Resources Control Board's statewide National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit to protect water quality. The appropriate best management practices for the control of construction-related erosion and runoff are listed in Chapter II, Project Description, Section H. Mitigation Incorporated into the Project of this EIR. Implementation of these BMPs will ensure consistency with both the Porter-Cologne Act and the CWA, thus ensuring consistency with relevant goals and policies of the RWQCB. Because the construction in both the new parking area at the Education Center and the Pillar Point Marsh are each under one-acre in size (and because they separated by more than one mile; otherwise the cumulative construction area bigger in size), these activities will not trigger the preparation of a formal Stormwater Pollution Prevention Plan (SWPPP). Thus, the minimization of erosion to any receiving waters and controlling sediment during and after construction will be accomplished by the implementation of the BMPs listed in this EIR.

Implementation of the San Vicente Creek Restoration Plan would be considered a separate project under CEQA . It may require a CWA Section 404 permit from the US Army Corps of Engineers and a CWA Section 401 water quality certification from the RWQCB.

Comments by the RWQCB on the NOP (Appendix A) noted that San Vicente Creek is listed under Section 303 (d) of the Clean Water Act as impaired by a high coliform count. As specified in Chapter II Project Description, Section H. Mitigation Incorporated into the Project of this EIR, the water quality management plan will investigate the sources that contribute to this high coliform count and make recommendations for ways to reduce the coliform level. The analysis and recommendations included in the water quality management plan will consider the effects of allowing horseback riding and dog walking on the stretch of the California Coastal Trail that passes through the Reserve and crosses San Vicente Creek.

4. California Coastal Commission

The California Coastal Commission, through its regional body, the Central Coastal Commission, is the appeal body for the approval or disapproval of building permits issued by the County for the area west of Highway 1. The Coastal Commission has policies that deal with public access to the coast, coastal recreation, the marine environment, coastal land resources, and coastal development of various types, including energy facilities ports and other industrial development. The State Coastal Commission provides funds to develop a local coastal plan and appropriate implementation measures. When both plan and implementing measures are certified by the Coastal Commission, the County will take over responsibility for issuing permits within the Coastal Zone.

Consistency: All of the proposed Master Plan policies and implementation actions are consistent with the policies of the Coastal Commission. Since the County's LCP is certified by the Coastal Commission, the applicable body for approval of the Master Plan is the County Planning Department and ultimately, the County Board of Supervisors. See the discussion of the Local Coastal Plan Policies, above.

5. California State Lands Commission

The Mission Statement of the California State Lands Commission (CSLC) states, “The CSLC serves the people of California by providing stewardship of the lands, waterways, and resources entrusted to its care through economic development, protection, preservation, and restoration.” The CSLC was created by the California Legislature in 1938 as an independent body, composed of three members—the Lieutenant Governor and State Controller, both statewide elected officials, and the Director of Finance, an appointee of the Governor. The CSLC was given the authority and responsibility to manage and protect the important natural and cultural resources on certain public lands within the state and the public’s rights to access these lands.

The public lands under the Commission’s jurisdiction are of two distinct types—sovereign and school lands. Sovereign lands encompass approximately 4 million acres. These lands include the beds of California’s naturally navigable rivers, lakes and streams, as well as the state’s tide and submerged lands along the state’s more than 1,100 miles of coastline, extending from the shoreline out to three miles offshore. The CSLC’s jurisdiction extends to more than 120 rivers and sloughs, 40 lakes and the state’s coastal waters.

Consistency: For the Fitzgerald Marine Reserve, all of the reef area below the mean high-tide line is within the CSLC’s jurisdiction. As stated in the Master Plan, because the Reserve is an existing state-designated Marine Life Refuge, “the California Department of Fish and Game is the primary agency responsible for management of Fitzgerald. The County of San Mateo has accepted responsibility for day-to-day operations and management of the Reserve.” Since the CDFG has management responsibilities below the average high tide, and since there are no inconsistencies between the proposed Master Plan and Implementation Actions and those of the CDFG, there will not be any inconsistencies between the Master Plan and the policies and mission statement of the CSLC.

C. Consistency with Federal Plans and Policies

1. U.S. Army Corps of Engineers

The U.S. Army Corps of Engineers (“Corps”) has jurisdiction and permitting authority under Section 10 of the Rivers and Harbors Act of 1899 over the nation’s waterways and their associated wetlands. The Corps also has authority under Section 404 of the Clean Water Act to protect the quality of the nation’s waters. The Corps regulates potential impacts on wetlands, threatened or endangered species, other valuable fish and wildlife resources, and cultural resources found in wetland areas.

The Corps works to provide protection of the nation’s aquatic environment through the regulation of activities in waters of the United States under the federal Rivers and Harbors Act as well as the CWA. Section 10 of the Rivers and Harbors Act of 1899 (33 USC 401, et seq.) requires permits for any work or structures in navigable waters of the United States, including wetlands within or adjacent to these waters. Both dredging and filling are regulated activities under the act. Navigable waters are defined as those waters that are subject to the ebb and flow of the tide, or are presently, have been, or may be used for transport of interstate or foreign commerce.

The Clean Water Act (CWA) (33 USC 1251-1387; Act of June 30, 1948 as amended) is a broad statute with the goal of maintaining and restoring waters of the United States. Among many provisions for the control of water pollution, the act also requires permits for filling of or discharge of dredged materials to waters of the United States. Section 404 of the CWA

establishes a permit program for the discharge of fill or dredged material into waters of the United States. Waters of the United States include navigable waters, interstate waters, and all other waters where the use or degradation or destruction of the waters could affect interstate or foreign commerce, tributaries of any of these waters, and wetlands that meet these criteria or that are adjacent to any of these waters or their tributaries.

Federal Executive Order 11990 regarding Protection of Wetlands states that federal agencies should avoid impacts to wetlands, and it calls for a no net loss of wetlands. The Presidential Wetland Policy (1993) and Reaffirmation (1995) includes principles for wetland protection. Those relevant to the Fitzgerald Marine Reserve are:

- No overall net loss and a long-term goal of increasing the quality and quantity of wetlands;
- Regulatory programs must be efficient, fair, flexible, and predictable, avoid unnecessary impacts on the regulated public, and minimize those effects that cannot be avoided, while providing effective protection for wetlands;
- Partnerships should be expanded and approach wetlands protection and restoration in an ecosystem/watershed context;
- Policies should be based on the best scientific information available; and
- Not all wetlands are of equal value.

Historically, the Corps has required compensatory mitigation for significant losses of wetlands that cannot be avoided. Compensation ratios for replacement habitat have had a significant range.

Consistency: The proposed Master Plan and implementation actions are consistent with the Corps' programs as listed above. No net loss of wetlands will occur as a result of this project. For San Vicente Creek, the Master Plan proposes a preparation of a Restoration Plan that will restore and/or improve this creek's wetland functions and values. As noted in the discussion under the Regional Water Quality Control Board, above, a CWA Section 404 Permit from the Army Corps of Engineers may be necessary for this restoration plan. Implementation of this Restoration Plan would be subject to separate CEQA review.

2. Endangered Species Act (ESA): U.S. Fish and Wildlife Service and National Marine Fisheries Service

The 1973 Endangered Species Act (ESA), as amended, establishes a broad public and federal interest in identifying, protecting, and providing for the recovery of threatened or endangered species. The U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) are charged with implementing and enforcing the ESA. USFWS has authority over terrestrial and continental aquatic species; NMFS has authority over species that spend all or part of their life cycle at sea, including coho and chinook salmon and steelhead trout.

The following lists the oversight of the USFWS in the implementation ESA:

a. Migratory Bird Treaty Act of 1918

One of the other acts that the USFWS implements is the Migratory Bird Treaty Act of 1918 which prohibits the destruction or possession of individual birds, eggs, or nests in active use without a scientific collecting or special purpose permit from the Service.

b. Section 6, Recovery Planning

Section 6 requires the agencies to determine how threatened or endangered species can be recovered to the point where they no longer require listing under the Act. The USFWS has published recovery plans for several species potentially affected by the Master Plan. NMFS has also initiated recovery planning within the Central California Coast planning area that covers the Reserve.

c. Section 7, Consultation

Section 7 of the ESA directs Federal agencies to use their legal authorities to further the purposes of the Act by carrying out conservation programs for listed species. Section 7 requires these agencies to ensure that any actions they fund, have permit authority over, or carry out, are not likely to jeopardize the survival of a listed species. If a Federal agency finds that one of its activities may affect a listed species, it is required to consult with either the USFWS or NMFS to obtain a biological opinion describing the project's effects on any endangered or threatened species or their critical habitat. For species that are proposed for listing and for which jeopardy is found, Federal agencies are required to confer with the USFWS or NMFS, although the results of such a conference are not legally binding.

d. Section 9, Prohibition of Take

Section 9 of the Endangered Species Act prohibits the take of listed animals, with "take" defined as: "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect a federally listed, endangered species of wildlife, or to attempt to engage in any such conduct." Section 9 applies to take of individuals and to take incidental to other activities, such as would occur if an individual were present in an area under construction. Regulations have broadened the definition of take to include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR Section 17.3).

Consistency: Because the Reserve provides habitat for several protected species, any activities which may result in take are prohibited unless allowed under the terms of a Section 7 consultation or a Section 10(a) permit. The Master Plan and implementation actions are intended to protect and enhance sensitive species and habitat in the Fitzgerald Marine Reserve. No Section 7 or 10 (a) consultations are expected to be needed for the adoption of the Master Plan. Since the Army Corps of Engineers may have permitting authority over parts of the San Vicente Creek Restoration Plan, and San Vicente Creek provides habitat for federally-listed species, a Section 7 consultation may be necessary. Implementation of the San Vicente Creek Restoration Plan would be considered a separate project under CEQA and would be subject to environmental review. The proposed implementation of the Master Plan will follow mitigation measures that are provided in this EIR that will reduce or avoid significant effects on endangered species. These mitigation measures are discussed in detail in Chapter IV-A, Biological Resources, of this EIR, and would ensure that implementation of the Master Plan is consistent with USFWS policies.

3. Gulf of the Farallones National Marine Sanctuary

The Gulf of the Farallones National Marine Sanctuary, designated in 1981, protects an area of 948 square nautical miles (1,255 square miles) off the northern and central California coast. Located just a few miles from San Francisco, the waters within the Gulf of the Farallones National Marine Sanctuary are part of a nationally significant marine ecosystem and the Sanctuary is part of the United Nations' Golden Gate Biosphere Reserve. Encompassing a diversity of highly productive marine habitats, the Sanctuary supports an abundance of species.

To protect the Sanctuary, activities that could harm the living resources of the Gulf of Farallones National Marine Sanctuary are prohibited. Uses compatible with the goals of resource protection are allowed but may be regulated. These goals include:

- Working to protect the marine environment
- Responding to oil spills and other environmental emergencies
- Monitoring the shoreline for natural and human caused disturbances
- Monitoring endangered species
- Developing and/or supporting collaborative programs to protect endangered species
- Developing programs to reduce disturbance to marine life
- Developing and implementing programs to protect and/or restore marine habitats
- Educating adults and children about the marine environment
- Involving citizens in marine research and conservation

Consistency: As stated in the Master Plan, “Goals of the Master Plan were developed through the public review process, and are based on ecological and environmental conditions within the Reserve, including Pillar Point Marsh” (p. 37). None of the Master Plan goals conflict with the Gulf of the Farallones National Marine Sanctuary Goals stated above. Master Plan goals including preserve and enhance natural resources, provide educational and interpretive opportunities, and improve baseline information, are similar to Gulf of the Farallones National Marine Sanctuary goals. The Master Plan also includes policies and implementation actions to achieve these goals that are consistent with Gulf of the Farallones National Marine Sanctuary goals. These include the resource monitoring program, protection of special-status species, multiple visitor management provisions, and the development of an educational and interpretive program.

4. Monterey Bay National Marine Sanctuary

The Monterey Bay National Marine Sanctuary (MBNMS) is a Federally protected marine area offshore of California's central coast. Stretching from Marin to Cambria, the MBNMS encompasses a shoreline length of 276 miles and 5,322 square miles of ocean. Supporting one of the world's most diverse marine ecosystems, it is home to numerous mammals, seabirds, fishes, invertebrates and plants in a remarkably productive coastal environment. The MBNMS was established for the purpose of resource protection, research, education, and public use of this national treasure.

In addition to its mandates for resource protection, research and education, MBNMS is also mandated to facilitate multiple use of the Sanctuary, provided those uses are consistent with the primary goal of resource protection. Protection of the ecosystem as a whole while facilitating multiple use requires many partnerships between the Sanctuary program, resource management agencies, scientists, businesses, educators, local communities and the public.

There are a variety of potential resource threats and opportunities within the Sanctuary due to the sensitivity of habitats and species in the region, the long stretch of adjacent populated coastline, and the multiple uses of the marine environment. Sanctuary research and monitoring programs evaluate the status and health of marine species, habitats and ecosystems, provide critical information to resource managers, and coordinate activities with the array of world-class research institutions in the region. Resource protection activities use a variety of means to reduce or prevent detrimental human impacts, including collaborative planning efforts, regulations and permits, emergency response activities, enforcement and education. Education and outreach is used as a critical element in enhancing understanding and stewardship of this national treasure, ranging from public events and interactive teacher workshops to extensive written materials.

Consistency: Because the Master Plan and Implementation actions propose improved resource management of the Reserve, this proposed project is consistent with the goals of the Monterey Bay National Marine Sanctuary. As stated in the Master Plan, the fundamental concept underlying the Master Plan is that protection of the outstanding natural resources of the Fitzgerald Marine Reserve will require a new approach to management of ecological systems and visitors in future years, and that the best way to accomplish this goal is to emphasize the sensitivity of the resource, to enhance the educational value of the Reserve, to manage visitation, and to limit use of the Reserve as a recreation destination.

5. National Park Service - Golden Gate National Recreation Area

The National Park Service (NPS) operates the Golden Gate National Recreation Area (GGNRA) whose authorized boundaries extend north into Marin County, include the City and County of San Francisco and south into San Mateo County. The Fitzgerald Marine Reserve is within the legislative boundary of GGNRA. The General Management Plan prepared in 1980 is the GGNRA's current planning document. This plan does not cover the area in San Mateo County since it was not within the GGNRA boundaries in 1980. The National Park Service is in the process of acquiring funding to update this plan to include new areas within the GGNRA boundaries, including northern San Mateo County. Until that time, there is no official plan for the GGNRA within San Mateo County.

The GGNRA's mission is to "preserve and enhance the natural environment and cultural resources of the coastal lands north and south of the Golden Gate for the inspiration, education, and recreation of people today, and for future generations." Comments from GGNRA on the Draft Master Plan state that GGNRA supports actions that would lead to the long-term protection of marine resources.

Consistency: Goals of the GGNRA and the Master Plan both include the protection of natural resources, and there are no inconsistencies between GGNRA's mission and the Master Plan policies and implementation actions. Specific potential issues could include compatibility of trail uses managed by the Fitzgerald Marine Reserve and those of the neighboring GGNRA lands on trails that are connected. For example, if the GGNRA allows mountain bikers and Reserve does not on a connected trail, this could result in a trail use incompatibility and possibly be inconsistent with the general mission of the GGNRA. Policy 11 of the Visitor Management Program of the Master Plan states that "Horseback riding, bicycling, and dog walking will be permitted only on the California Coastal Trail within the Reserve." Therefore, implementation of this Policy will avoid trail use conflicts between the Reserve and GGNRA.

6. U.S. Bureau of Land Management - California Coastal National Monument

The mission of the Bureau of Land Management (BLM) is to sustain the health, diversity and productivity of the public lands for the use and enjoyment of present and future generations. National Monuments are special areas of public land designated by public proclamation by the President or by Congress, to protect historic landmarks, historic and prehistoric structures, or other objects of historic or scientific interest. The California Coastal National Monument (CCNM) was designated by Presidential Proclamation on January 11, 2000. It includes all unappropriated or unreserved lands and interests in lands owned or controlled by the United States in the form of islands, rocks, exposed reefs, and pinnacles above mean high tide within 12 nautical miles of shoreline of the State of California, between the Oregon and Mexican borders. This area includes roughly 11,507 islands totaling approximately 883 acres along 1,100 miles of coastline.

The BLM is in process of preparing a Resource Management Plan for the CCNM. At present, a scoping report has been prepared and is available to the public. The scoping report sets out the purpose of the CCNM Resource Management Plan, which will be to establish

guidance, objectives, policies, and management actions for the lands of the CCNM. The scoping report also describes the purpose and need for the Resource Management Plan, summarizes issues raised through public comment, and provides draft planning criteria, a summary of data and data gaps, and a summary of future steps.

Consistency: Portions of the reefs that are part of the Fitzgerald Marine Reserve and are exposed at mean high tide would also be within the jurisdiction of the California Coastal National Monument. Since the Resource Management Plan is in preparation, there are currently no plans or policies guiding this monument. The goals of the Master Plan include protecting natural resources, managing visitation, and providing educational and recreational opportunities, and are not expected to be inconsistent with the Resource Management Plan for the CCNM. When the Resource Management Plan is completed, the County should confirm consistency with the Master Plan.