



San Luis Obispo Coast District
750 Hearst Castle Road
San Simeon, California 93452
Dan.Falat@parks.ca.gov

May 30, 2025

Cindy Chambers
County of San Luis Obispo
Department of Planning and Building
976 Osos Street, Room 300
San Luis Obispo, CA 93408

Subject: Response to Comments on the Department of Parks and Recreation San Luis Obispo Coast District's Piedras Blancas California Coastal Trail Project Mitigated Negative Declaration, SCH# 2024090173

Dear Ms. Chambers,

Pursuant to the California Environmental Quality Act (CEQA), the potential environmental effects of the Department of Parks and Recreation's (DPR) proposed Piedras Blancas California Coastal Trail Project (Project) have been analyzed in an Initial Study/Mitigated Negative Declaration (MND), dated July 2024.

Section 15704(b) of the CEQA Guidelines states that, prior to approving the project, the lead agency must consider the proposed IS/MND together with any comments received during the public review process. The lead agency must adopt the proposed IS/MND, only if it finds on the basis of the whole record before it that there is no substantial evidence that the project would have a significant effect on the environment and that the IS/MND reflects the lead agency's independent judgement and analysis. We received your letter, dated November 5, 2024, after the public comment review period. We have prepared responses to your comments and others received during the comment period. We are responding individually to each commenting agency as well as posting all responses to CEQANET.

During the comment period, DPR received comment letters from four (4) agencies. The County of San Luis Obispo Planning and Building Department's letter was assigned A-4 as shown in Table 1, which provides an index of those comment letters, the date they were received, and corresponding numbered responses. Comment letters are organized chronologically by the date they were received. Comment letters, bracketed by comment, are reproduced in their entirety and are followed by response to each comment. A copy of your comment letter with each comment bracketed and numbered is attached for your reference to the corresponding responses that follow. Changes to the IS/MND, where deemed appropriate, are summarized in the response and refer to the applicable section in the IS/MND. Text changes are incorporated via the Errata prepared for the Final MND.

Table 1: Comment Letter Designation by Agency, Date of Correspondence, and numbered responses

Document Letter Designation	Agency and Date of Correspondence	Response Designations
A-1	California Department of Fish and Wildlife, October 7, 2024	A-1-1 to A-1-6

A-2	Central Coast Regional Water Quality Control Board, October 25, 2024	A-2-1 to A-2-6
A-3	California Coastal Commission, October 28, 2024	A-3-1- to A-3-3
A-4	County of San Luis Obispo Planning and Building Department, November 5, 2024	A-4-1 to A-4-13

Response to Comments from County of San Luis Obispo, Planning and Building Department

Response to A-4-1:

Comment noted. While State Parks recognizes your concerns regarding the elephant seal viewing platform, the current design is consistent with Coastal Commission policies regarding managed retreat; the platform is designed to be moved inland as needed. The platform is retractable, allowing for adjustments over time, including enough space for potential relocation.

DPR follows established trail management protocols to ensure visitor safety and accessibility. If the trail or its features, including boardwalks, bridges, and/or viewing platforms, are impacted by erosion or sea-level rise, DPR will rehabilitate or realign them, as has been done at Moonstone Beach Boardwalk.

The Project has been carefully designed to avoid impacts while balancing environmental protection, public safety, and visitor experience. To address potential human-animal interactions, which could result in disturbance or behavioral changes to the elephant seals, the platform's design features will include handrails to maintain a safe distance between visitors and wildlife. This mitigation aligns with NOAA regulations regarding appropriate setbacks from marine mammals and ensures compliance with best management practices for wildlife protection.

The Project's design features and standard project requirements—including handrails, interpretive signage, and adaptive management strategies—are appropriate under CEQA. The platform provides a controlled, interpretive opportunity for visitors while reducing the risk of unregulated access and disturbance to the elephant seals. This approach strikes a necessary balance between public recreation, education, and environmental resource protection. However, if the final design plans are found to be inconsistent with approved CDP, it will be dropped from the Project.

Response to A-4-2:

Comment noted. DPR will require a qualified biologist(s) to conduct surveys for burrowing owls in accordance with the referenced "Burrowing Owl Survey Protocol and Mitigation Guidelines," the survey season immediately prior to construction. DPR will incorporate avoidance and minimization measures if burrowing owls are found within the Project site during surveys. This requirement has been added to the IS/MND (SPR BIO-5 d).

It is DPR's standard operation and intent to continue to submit special-status species and natural communities detected during surveys to the CNDDB. It is routine practice for our Natural Resources Program to submit our data to the CNDDB for every new occurrence found in our District, and we submit data annually for each species we're permitted to monitor/survey for via a CDFW Scientific Collecting Permit #10633 and a U.S. Fish & Wildlife Service 10a1A permit #TE-082237, verifying their continued presence and updating the record (e.g., western snowy plover, Morro shoulderband snail).

As noted in the Biological Resources Section of the Initial Study, portions of the Project may be subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq. It is DPR's intent to conduct technical studies, including wetland delineations to identify jurisdictional areas and impacts to those areas, once the Project has secured funding. At that point, DPR will pursue consultations with regulatory permitting agencies, including CDFW. DPR also

understands CDFW's requirement to verify the analysis within the CEQA document prepared for the Project as a part of your LSAA permit process.

The IS/MND has been updated to include a condition requiring nesting bird surveys be conducted by a qualified biologist no more than 10 days prior to the start of ground or vegetation disturbance if work occurs during the nesting season, February 1 – September 15 (SPR BIO-5 e).

Response to A-4-3:

Comment noted.

Response to A-4-4:

The response to this comment is prefaced with a clarification that significance determinations are made without consideration of avoidance, minimization, and/or mitigation measures. Standard Project Requirements are simply measures that are added to further reduce or avoid impacts which are determined not to be significant. With that said, State Parks acknowledges that NOA was inadequately evaluated in the Draft Initial Study, and the following additional analysis will be incorporated into the final document.

The northern portion of the Project is covered by the CDP that authorized Caltrans' Highway 1 Realignment Project. The environmental review and permitting process for that portion of the Project included an Initial Site Assessment prepared in 2008 which determined that the area is void of ultra basic and serpentine rocks and therefore encountering naturally occurring asbestos (NOA) is unlikely (California Department of Transportation, 2010). Approximately two (2) miles of the Project is not yet permitted and was not included in the analyses for the northern portion of the Project; however, both the northern and southern portion of the trail occur within the same marine terrace deposit soil type, and NOA is not expected to occur within this soil type. Additionally, the southern portion consists of a trail that already exists; the Project would modify the trail so that it conforms with DPR standards, but new construction or earth disturbance to create a trail is not required. The Air Quality section has been updated to reflect this additional information for clarification.

Response to A-4-5:

Comment noted. The Rational column of Table Bio-1 on page 42 has been corrected to include the rest of the sentence.

Response to A-4-6:

As a State agency, the implementation of the proposed CCT by California State Parks is a sovereign activity that is immune from local building and zoning regulations including grading and construction permits. The Project is subject to local review only under authority delegated to it by the California Coastal Act as a certified local coastal plan. Furthermore, the Coastal Act does not authorize local governments to exercise any power it does not already have under the Constitution and laws of the State of California. Nevertheless, clarification has been added to the Standard Project Requirements to clarify who will implement which requirements and when those requirements will be implemented.

Response to A-4-7:

Comment noted. California State Parks employs professional archeologists that fully understand the procedures for what must be done in the event of an unanticipated cultural resource discovery. State Parks is both the project proponent and the entity that will implement the project so any such inadvertent discovery will be treated as per the protocol that has already been established, and which has proved to be an effective means to prevent unanticipated impacts.

Furthermore, an abundance of archaeological data was available to guide the planning of the Project and used to avoid impacts to cultural resources. Therefore, the nature of the ground disturbance for this project does not necessitate full-time archaeological monitoring or the development of a Cultural Resources Management Plan. No impacts to intact archaeological resources are anticipated, as the Project alignment avoids known cultural resources and only bisects

portions of archaeological sites that were substantially disturbed by past Highway 1 construction. Furthermore, the sites bisected by the current Project alignment have been determined ineligible for inclusion in the National Register of Historic Places and California Register of Historic Resources, therefore according to the National Historic Preservation Act, are considered not significant.

Sites in the vicinity of the current Project located north of Point Piedras Blancas have been subjected to substantial impacts from past construction and exhaustive archaeological testing and excavation. Those south of Point Piedras Blancas are more intact, but the Project will avoid them. As a precautionary measure, an Archaeological Monitoring Plan has been prepared, outlining procedures for monitoring, with archaeological and tribal monitoring occurring within 50 meters of intact archaeological sites and/or tribal cultural resources and for all ground disturbance south of the Northern Lighthouse Parking Lot.

Caltrans conducted full archaeological survey for the entire alignment of the current Project prior to Highway 1 realignments (Joslin 2007). DPR conducted archaeological surveys for the Project from 2016-2023, during times of good visibility, first by Wheeler then by Jackson (Jackson 2024). In addition, substantial archaeological testing has been conducted in this area, due to multiple iterations of Highway 1 construction, abandonment and realignment. As a result of the past survey work, archaeological testing, and Highway 1 construction, archaeological site boundaries including those portions containing intact resources are well defined. Areas where the Project bisects known archaeological sites occur only within areas previously disturbed by various iterations of Highway 1 construction and therefore intact archaeological resources are no longer present within the Project. Thus, the Project was designed to avoid all intact archaeological sites and other cultural resources, and no impacts are expected. Due to the shallow nature of ground disturbance for the Project, any previously unidentified archaeological resources that may be within the Project alignment is likely to consist solely of isolated lithic material and will not require a robust management or treatment plan. Consequently, no cultural resources discovery (Management) plan is warranted for the project.

Response to A-4-8:

DPR will review ensure that monitoring occurs near sensitive areas, e.g., where ground disturbance will occur within 50 meters of an intact archaeological and/or tribal cultural resource. Full-time archaeological monitoring is not anticipated to be required since the majority of the Project occurs within the area assessed and/or impacted by Caltrans' Highway 1 Realignment Project.

No significant tribal cultural resources were identified directly within the Project area. Consultation with the tribes has occurred and is ongoing. The Project was designed to avoid intact cultural resources, and tribes have supported the Project and have not expressed concerns over impacts to tribal cultural resources. As a precautionary measure, an Archaeological Monitoring Plan has been prepared, outlining procedures for monitoring, with archaeological and tribal monitoring occurring within 50 meters of intact archaeological sites and/or tribal cultural resources and for all ground disturbance south of the Northern Lighthouse Parking Lot. Full-time archaeological and tribal monitoring is not required since the majority of the Project occurs within the areas assessed and/or impacted by Caltrans' Highway 1 Realignment Project, and ground disturbance will be limited to shallow excavations and clearing of vegetation.

Response to A-4-9:

Page 14 of the Conceptual Mitigation Monitoring and Reporting Plan notes that DPR will hand water all restored areas by hand if supplemental watering is required to ensure the success of restoration efforts. This methodology has proven successful in coastal environments which are prone to more fog and less heat than inland areas. This same methodology was used for the restoration required when the Moonstone Boardwalk was replaced, which required large restoration areas.

Response to A-4-10:

An Archaeological Monitoring Plan has been prepared which outlines procedures for monitoring, with archaeological and tribal monitoring occurring within 50 meters of intact archaeological sites and/or tribal cultural resources, and for all any ground disturbance south of the Northern Lighthouse Parking Lot. Archaeological monitoring is not required for all

ground disturbance since the Project was designed to avoid intact cultural resources and a large portion of the Project occurs within areas disturbed by Caltrans' Highway 1 Realignment project.

Response to A-4-11:

The two projects referenced in subsection (c) are Caltrans' Highway 1 Realignment Project and the Piedras Blancas California Coastal Trail Project. The "limited delineation of highway impacted resources" refers to the limited footprint of Caltrans' project area and resource impacts, which did not extend toward the bluffs and cover the same area that the CCT will impact. In other words, while Coastal Commission was content to let us use the Caltrans EIS/EIR (and so was DPR legal counsel), it would have left us open to a challenge in that the CCT resource impacts were not analyzed in the Caltrans EIR/EIS and their project footprint was different and did not even include the CCT alignment.

Response to A-4-12:


The Project Overview Map, Figure PROJ-2 on page 4, has been revised to clearly show which portion of the project has been permitted by a Coastal Development Permit versus the section that has yet to be permitted.

Response to A-4-13:

The southern portion of the trail which is not covered by Caltrans' CDP is partially constructed and will not require breaking new ground; rather, it will require modifications and enhancements so that the trail meets DPR standards and ADA requirements.

DPR appreciates your review of and comment on the MND to assist with the environmental review of the Project, and we look forward to continuing to coordinate with your agency on this and other projects.

Sincerely,

DocuSigned by:

71989530EE2A4E5...
DAN FALAT
District Superintendent

Attachment: Original Comment Letter with Brackets

Cc: Katie Drexhage, Environmental Scientist
Doug Barker, Senior Park and Recreation Specialist
Northern Service Center