



19.0 RECREATION AND PUBLIC ACCESS

19.1 Regulatory Setting

See Volume 1, Section 1.5 “California State Parks Management and Authority,” for a full description of Public Resource Codes (PRC) referenced in this section.

19.1.1 California’s Recreation Policy

The California State Legislature delegated responsibility for preparing the state’s Recreation Policy to the State Park and Recreation Commission in the belief that all Californians should be provided with an array of opportunities allowing them to pursue their recreational interests. PRC section 540 directs the Commission to formulate, in cooperation with other state agencies, interested organizations, and citizens, and recommend to the Director of California State Parks for adoption, a comprehensive recreational policy for the State of California. The 2005 California Recreation Policy is intended to be broad in scope and considers the full range of recreation activities—active, passive, indoors, and out-of-doors (California State Parks, 2005). It is a comprehensive policy directed at recreation providers at all levels: federal, state, and local agencies and private and nonprofit suppliers. The policy mandates opportunities and access to recreation activities for all activities and populations while preserving natural and cultural resources.

19.1.2 Off-Highway Motor Vehicle Recreation (OHMVR) Division and the OHV ACT

The OHMVR Division of California State Parks promotes managed, environmentally responsible, and sustainable OHV use. OHMVR Division programs are carried out with the advisory oversight of the OHMVR Commission. The programs are funded directly by the recreation community through gasoline taxes, green and red sticker fees, and entrance fees at SVRAs like Oceano Dunes SVRA. This is in clear contrast with the rest of California State Parks, which are funded from the State’s General Fund and are not required to specifically address legislative standards. This funding, along with very specific goals for soil erosion, water quality and the like, has enabled the Division to provide for the conservation of endangered species consistently and for continually cleaning up years of ill-used lands. Prior to the Division taking on management of these lands there were no standards and the OHV parks were for most part privately owned. Consistent with its mission statement, the OHMVR Division provides education, training, and information to promote safe and environmentally responsible OHV recreation. Marketing and outreach conducted by the OHMVR Division promotes widespread understanding of environmental protection and safe and appropriate OHV recreation.

PRC section 5090.02 sets forth the state Legislature’s declaration that effectively managed areas and adequate facilities for the use of OHVs and conservation, and enforcement are essential for ecologically balanced recreation. Accordingly, with the passage of the OHMVR Act of 2003, the state legislature intended, in part, that: 1) Existing OHV recreational areas, facilities, and opportunities are expanded and managed to sustain long-term use (PRC § 5090.02(c)(1)); 2) New OHV recreational areas, facilities, and opportunities be provided and managed in a manner that sustains long-term use (PRC § 5090.02(c)(2)); 3) The OHMVR Division supports both motorized recreation and motorized OHV access to non-motorized recreation (PRC § 5090.02(c)(3)); and 4) When areas cannot be maintained to appropriate standards for sustained long-term use, they should be repaired to prevent accelerated erosion or closed and restored.



Also, PRC section 5090.35(a) provides that protection of public safety, the appropriate utilization of lands, and the conservation of natural and cultural resources are of the highest priority in the management of SVRAs. The OHMVR Division shall promptly repair and continuously maintain areas and trails and anticipate and prevent accelerated and unnatural erosion and other OHV impacts to the extent possible. The OHMVR Division shall also take steps necessary to avoid damage to significant natural and cultural resources within SVRAs.

SVRAs consist of areas selected, developed, and operated to provide OHV recreation opportunities. California State Parks must develop, manage, and operate SVRAs to give the fullest appropriate public use of the vehicular recreational opportunities present per the OHMVR Act while providing the conservation of cultural resources and the conservation and improvement of natural resources values over time (PRC § 5090.43 (a)). To protect natural and cultural resource values, California State Parks may establish sensitive areas within SVRAs. If OHV use results in damage to any natural or cultural resources or damage within sensitive areas, appropriate measures must be taken to protect these lands from further damage. These measures may include erecting physical barriers, restoring natural resources, and repairing cultural resources damage (PRC § 5090.43).

19.1.2.1 Senate Bill 249

On October 3, 2017, the Legislature amended OHV Act of 2003 to expand the duties of the OHMVR Division. The bill removed the sunset date and permanently authorized it as a State Parks program. It also added several resource management measures to:

- prepare and implement management and wildlife habitat protection plans for lands in, or proposed to be included in state vehicular recreation areas, as specified;
- post on the Department's Internet Web site all plans, reports, and studies related to off-highway vehicle recreation developed by the division;
- in consultation with specified bodies and departments, review, and if deemed necessary, update the 2008 Soil Conservation Standard and Guidelines to establish a generic and measurable soil conservation standard by December 31, 2020, and subsequently review and update that standard when deemed necessary by the department;
- monitor annually in each state vehicular recreation area to determine whether soil conservation standards are being met and the objectives of wildlife habitat protection plans are being met; and,
- protect natural, cultural, and archaeological resources within state vehicular recreation areas. The bill would require the division to take other specified measures to protect natural and Conserve and improve wildlife habitats for each SVRA and close the noncompliant portion temporarily until the wildlife habitat protection plan is met (California Legislative Information, 2017)

19.1.3 State Beaches and Seashores

PRC Section 5001.6 sets forth that state park system units may be located within, and be a part of, a state seashore.



Section 5001.6(b)(7) of the PRC establishes the San Luis Obispo State Seashore, which comprises lands extending from Cayucos to Lion’s Head, including Cayucos State Beach, Morro Strand State Beach, Atascadero State Beach, Morro Bay State Park, Montana de Oro State Park, Avila State Beach, Pismo State Beach, [Oceano] Dunes SVRA, and Point Sal State Beach.

The PRC defines state seashores as areas that “consist of relatively spacious coastline areas with frontage on the ocean, or on bays open to the ocean, including water areas landward of the mean high tide line and seasonally connected to the ocean, possessing outstanding scenic or natural character and significant recreational, historical, archaeological, or geological values” (PRC § 5019.62). The purpose of state seashores is to preserve the outstanding values of the California coastline and to make possible the enjoyment of coastline and related recreational activities (PRC § 5019.62).

The PRC defines state beaches to consist of areas “with frontage on the ocean, or bays designed to provide swimming, boating, fishing, and other beach-oriented recreational activities” (PRC § 5019.56(c)).

19.1.4 California Coastal Act

As described in greater detail in Volume 1, Section 1, the California Coastal Act (PRC § 30000 et seq.) governs development within the Coastal Zone. One of the legislative findings and goals of the Coastal Act is to “maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners” (PRC § 30001.5). Chapter 2, Section 30116 of the Coastal Act, defines “sensitive coastal resource areas” to mean those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity, including “areas possessing significant recreational value.”

Chapter 3 of the Coastal Act, Coastal Resources Planning and Management Policies, sets forth the policies that constitute the standards for the adequacy of local coastal Programs and development subject to the Coastal Act (PRC § 30200 et seq.).

19.2 Environmental Setting

Please refer to Section 2.11, “Recreation,” in Chapter 2, “Park History and Existing Conditions” of Volume 2, “Existing Conditions,” for a detailed description of existing recreation facilities and ongoing recreation activities in the Park.

19.3 Project Impacts

Threshold of Significance

Based on Appendix G of the CEQA Guidelines, implementation of the PWP could have an impact related to recreation and public access if it would result in:

- a) An increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- b) Include recreational facilities or require the construction or expansion of recreational facilities, which might adversely affect the environment.



19.3.1 Issues Not Discussed Further in This EIR

Implementation of the PWP including the continuation of management programs and maintenance activities, and implementation of the PWP Development Projects, Small Development Projects and Special Projects would not directly or indirectly increase the local population by providing housing or otherwise contribute to population growth in the area by providing a significant amount of new jobs. Therefore, implementation of the PWP would not create an indirect demand for recreation at local parks or other local recreation facilities. Implementation of the PWP would also not increase recreation users in the area compared to baseline conditions, because the PWP includes reduced numbers for camping and day use limits, as discussed in Volume 1, Chapter 3, Section 3.6 of the PWP. Because all PWP projects, except for the Phillips 66/Southern Entrance Project, are contained within State Park property, implementation of the PWP would not increase the use of existing neighborhood and regional parks or other recreational facilities to the extent that substantial physical deterioration of any facility would occur or be accelerated. If the Philipps 66/Southern Entrance Project were to move forward, it would provide additional and enhanced recreation facilities in the area and a beneficial impact on recreation facilities could occur. There is no adverse impact on local Parks and recreation facilities and this issue is not discussed further in this DEIR.

19.3.2 Impacts and Mitigation

19.3.2.1 Impacts from PWP Implementation

Operations and maintenance activities from PWP implementation would not involve substantial changes to recreation facilities. Minor building alterations or landscape changes could occur, as necessary, but these minor changes are necessary for the upkeep of facilities and landscaping and would not change the recreation opportunities provided by the sites. Therefore, PWP implementation would have **no impact** related to adverse effects on recreation resources.

19.3.2.2 Impacts from PWP Development Projects

Impact 19-1 Construction or expansion of Recreational Facilities which might adversely affect the physical environment.

Oso Flaco Initial and Future Improvement Project

The Oso Flaco (Initial) and (Future) Improvement Project would support increased recreational activities in the southern portion of Oceano Dunes SVRA as envisioned and authorized in the 1975 Pismo State Beach and Oceano Dunes SVRA General Plan (General Plan). With regards to recreation, these projects would improve public access, provide enhanced recreation opportunities, and provide new low cost overnight accommodations on the coast. Both Project phases would expand non-motorized recreation access to the Oso Flaco Day Use Area through additional trail and camping opportunities, expand recreational activities to include primitive camping (in the initial project) and a developed campground (in the future project), and include new visitor services amenities such as an improved entrance, parking, restrooms, group gathering area, a concession area, park support facilities, educational facilities, and pedestrian and bike trails. The projects also provide pedestrian trails and educational opportunities in restored coastal habitat. By providing new primitive and developed campsites, the project would offset some reduction of campsites on the beach implemented as part of the PWP's interim reduced numbers. However the new campsites would not provide opportunities for beach camping, a recreational activities unique to Oceano Dunes SVRA. The project would also pursue OHV access from the campground inland to the north



into the SVRA back dunes riding area, providing additional access for OHV where none currently exists.

Because the project would provide a series of new recreation opportunities, facilities and access, it would have a **significant beneficial impact** on recreation.

19.3.2.3 Park Corporation Yard Improvement Project

The Park Corporation Yard Improvement Project would improve park operations and visitor services functions for the Oceano Dunes District. It does not include recreational facilities or require the construction or expansion of recreational facilities, which might adversely affect the environment. It would benefit recreation users by re-routing park operations traffic to avoid the North Beach Campground and therefore would have a **beneficial impact** on recreation.

19.3.2.4 Oceano Campground Infrastructure Improvement Project, Pier and Grand Avenue Entrances & Lifeguard Towers Project, and North Beach Campground Facility Improvements Project

These projects make improvements to existing recreational facilities by improving public access through: improving existing low cost accommodations in the campgrounds; replacing non-compliant ADA accessible amenities; and providing new accessible amenities and visitor services. Therefore, these projects would have **significant beneficial impacts** on recreation.

19.3.2.5 Butterfly Grove Public Access and Pismo State Beach Boardwalk Project

These projects make improvements to existing recreational facilities and also include the expansion of some recreational facilities. Specifically, these projects would improve public access through: creating new pedestrian and equestrian recreation opportunities in coastal areas that were previously closed to the public; improving visitor parking and safe access to the Butterfly Grove; and, improving existing and creating new environmental education programs and opportunities in both project areas. These projects would have a **significant beneficial impact** on recreation.

19.3.2.6 Phillips 66/Southern Entrance Project

This project is in the conceptual planning phase. If the project were to be implemented, it would construct new recreational facilities. Impacts of the project cannot be analyzed at the project level at this time, as no onsite surveys have been conducted and any design/siting of facilities is preliminary. Implementation of the project would require future environmental review pursuant to CEQA.

If the project were to move forward, it would support increased recreational activities in the southern portion of Oceano Dunes SVRA as envisioned and envisioned in the 1975 General Plan. If the property becomes available for acquisition, the PWP proposes new facilities be constructed there for District operations including camping, educational programs, OHV safety training, concessions, special events, visitor engagement, and additional OHV and non-motorized recreation. Benefits of project include offsetting the reduction of beach campsites lost through the PWP's interim use limits; providing a dedicated OHV access and staging area into the SVRA; redirecting OHV traffic crossing away from Arroyo Grande Creek; creating new OHV recreation opportunities; improving park operations facilities; creating new



pedestrian and equestrian trails; enhancing habitat and resource protection; and, developing new science and cultural education opportunities.

If constructed, the project would have a **significant beneficial impact** on recreation by improving public access and providing new low cost overnight accommodations on the coast.

19.3.2.7 Small Development Projects and Maintenance

The following proposed small development projects would provide a **significant beneficial impact** to recreation by creating new or enhanced coastal access and recreation opportunities (motorized and non-motorized): Pismo Creek Estuary Seasonal (Floating) Bridge Installation, 40 Acre Riding Trail Installation, and the Oso Flaco Boardwalk Replacement. Where applicable, these projects make improvements to accessibility and replace aging infrastructure.

The Safety Education Center and Oceano Campground Campfire Center Replacement Project replace existing aging facilities and improve accessibility features. These projects provide a **significant beneficial impact** to recreation through enhanced educational facilities for recreation safety classes, science education, and space for groups and school programs.

The Trash Enclosure at Post 2/Beach Trash Management would improve public access to waste disposal while on the beach, thus improving public health while recreating. This would be a **beneficial impact** to recreation.

19.3.2.8 Proposed Changes to Existing Visitor Use Limits

Oceano Dunes SVRA operates under daily vehicle limits established by CDP 4-82-300-A5, which was approved in 2001. The permit establishes the following daily limits on vehicles within Oceano Dunes SVRA: up to 2,580 street-legal vehicles, 1,000 street-legal vehicles for camping, and 1,720 OHVs). The PWP proposes interim use limits until another carrying capacity study is conducted. Until a new study is completed, the following use capacity limits will be implemented: 500 street-legal vehicles for camping, 1000 street-legal vehicles for day use, and 1,000 OHVs for day use.

The interim use limit would pose a **significant and unavoidable impact** to motorized public recreation and coastal access to Pismo State Beach and Oceano Dunes SVRA because it would severely reduce the number of visitors that can recreation in the Park at any time when compared to current conditions.

While the Oso Flaco (Initial and Future) Improvement Project and the Phillips 66/Southern Entrance Project include of the establishment of additional campsites that would offset some of the campsites lost through implementation of the interim use limits, these campsites are not on the beach. Beach camping is a unique use at the Oceano Dunes SVRA and is not available at other locations. Therefore, no mitigation options for the loss of beach camping exists, and the impact remains significant and unavoidable.

19.4 Cumulative Effects

The proposed PWP would not adversely impact recreation facilities, coastal recreation opportunity, or public access to recreation. As such, these activities would not contribute to impacts from other foreseeable projects listed in EIR Chapter 3 to incrementally increase recreational impacts.



In addition, the PWP does not have the potential for significant adverse effects due to new or expanded recreational facilities, nor does the PWP have the potential to restrict coastal public access or coastal recreation. The PWP and proposed development projects have the potential to increase recreational opportunities by providing additional facilities and recreation areas. Therefore, the PWP would have no contribution to a cumulative adverse effect on coastal recreational opportunity or public access. The PWP would have **no cumulative effect** on coastal recreational opportunity and public access.



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