

1 **UNITED STATES DEPARTMENT OF THE INTERIOR**  
2 **OFFICE OF HEARINGS AND APPEALS**  
3 **BOARD OF LAND APPEALS**

4 )  
5 ) IBLA Docket No. IBLA-2021-0313  
6 )  
7 )  
8 )  
9 )  
10 )  
11 )  
12 )  
13 )  
14 )  
15 )  
16 )  
17 )  
18 )  
19 )  
20 )  
21 )  
22 )  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )

FRIENDS OF THE NORTH COAST,  
DAVENPORT NORTH COAST ASSOCIATION,  
and RURAL BONNY DOON ASSOCIATION,  
  
Appellants.

DECLARATION OF  
JOHN BARNES  
IN SUPPORT OF  
MOTION FOR STAY

---

I, John Barnes, declare as follows:

1. I am a resident of Davenport and a member of the Board of Directors of the Davenport North Coast Association (DNCA).

2. I am an architect licensed in the state of California with extensive experience in land use and environmental planning and have applied those skills where relevant in making the statements in this Declaration..

3. I have a personal understanding of the Cement Plant Road corridor, including the area occupied by the historic Mocettini “cheese barn,” the parking site plan approved as Appendix B, Access Point Concept A, Warrenella Road Gate in the Decision Record (the “RMPA Plan” - Exhibit A hereto), and the current BLM proposal shown in a Site Plan dated 4/13/2022 (the “current plan” - Exhibit B hereto).

4. The RMPA plan, like BLM’s current plan, would create parking by grading the knoll immediately north of Warrenella Road. However, the RMPA plan would access the knoll via an Access drive located approximately 250’ north of Warrenella according to the RMPA Appendix K Final Traffic Study by W-trans at page 8 (Note: this was for alternatives slightly preceding the ultimate release of BLM’s Preferred Alternative, but the location was the same for all). On the other hand, the current plan

1 would access the knoll via an Access drive located approximately 60' north of Warrenella Road  
2 (centerline to centerline).

3 5. Compared to the RMPA plan contained in BLM's June 23, 2021 Decision Record, the  
4 current plan (see Exhibit B) creates five problematic changes:

- 5 a. it reduces number of parking spaces from 69 spaces to 42 spaces, increasing the pressure  
6 for illegal parking along Cement Plant Road;
- 7 b. it removes 4 mature eucalyptus trees that if allowed to remain would significantly screen  
8 views of the parking area from Highway One (Declaration of Eaton, Exhibit A, Photos 3,  
9 5, 7-9, 12-13) and provide habitat for Monarch butterflies;
- 10 c. it aligns the relocated Access so close to Warrenella Road as to necessarily create  
11 significant conflicts between vehicular traffic using the trail access and traffic using  
12 Warrenella Road;
- 13 d. it places the relocated Access so close to Warrenella that it will induce users (bikers and  
14 hikers) to perceive Warrenella to be a legitimate alternative access into the monument,  
15 contrary to BLM's management goals: and
- 16 e. it does not account for recent funding to restore the Mocettini barn as an interpretive  
17 center for the Monument requiring a second parking area when a single parking lot  
18 serving both the Trailhead and Mocettini Barn Interpretive Center would combine all  
19 public/Monument interface in one location - greatly reducing visual and environmental  
20 impacts and clarifying Monument access for all visitors.

21  
22  
23 6. As a board member of DNCA I spearheaded efforts (starting in 2018) to develop an  
24 alternative to the original parking site proposed by BLM (which ultimately became the RMPA plan) and  
25 ultimately arranged for a conceptual site plan to be developed by RRM, the design consultant also used by  
26 BLM for the plans in its RMPA. See attached Exhibit C, RRM Site Plan and Notes.  
27  
28

1           7.       In September 2021 I had an email exchange with Steve Wiesner, Assistant Director of  
2 Santa Cruz County Department of Public Works regarding Cement Plant Road. He provided me with a  
3 summary thereof (Exhibit D) from which the following information can be ascertained: Cement Plant  
4 Road (originally coastal State Highway 56C), north of Warrenella Road, has a width of 16', *see*, 1947  
5 Santa Cruz County Roads Inventory and Plan and Profile of State Highway (1938)– provided to me by  
6 Steve Wiesner and both part of Exhibit D (refer in particular to pages 3-5).

7           8.       On March 28, 2022 I attended a meeting in the field conducted by BLM Field Manager  
8 Ben Blom at the site of BLM's proposed Warrenella Gate Parking Lot for Cotoni-Coast Dairies. The  
9 other attendees were Brian McElroy, Noel Bock, Colin Hannon, Don Croll, and Mike Eaton.

- 10           9.       At that meeting I personally heard Field Manager Blom make the following statements:  
11           A.       Blom confirmed BLM has received \$2.5 million in funding for the historic Mocettini “cheese  
12           barn” restoration and that preliminary planning for restoration has been initiated;  
13           B.       Blom stated that the expected use of the restored historic barn is to be a visitor-serving  
14           facility with interpretive displays used for educational purposes and hosting special events;  
15           C.       In response to a question, Blom stated that the restored barn uses would require an adjacent  
16           parking area much closer than BLM's planned parking lot at the top of the knoll (see Exhibit  
17           B) and that the likely site for this parking would be the area that the Appellant DNCA has  
18           advanced as a preferred site for parking (see Exhibit C) for trail access and that, until this  
19           March 28, 2022 meeting, BLM has rejected citing unsubstantiated environmental concerns;  
20           D.       Blom acknowledged that the removal of four large eucalyptus trees and substantial grading  
21           would be required to create the parking lot on the knoll planned by BLM (see Exhibit B);  
22           E.       Blom acknowledged that the BLM-preferred parking lot would have a visual impact on  
23           residents of New Town Davenport and be visible from much of the surrounding Monument  
24           land;  
25  
26  
27  
28

1 F. Blom described BLM’s intention to provide a vegetative visual screen between Warrenella  
2 Road and the proposed parking lot; and

3 G. Blom stated that BLM intended to commence construction “in June” and would not wait for  
4 an IBLA decision before proceeding to construction..

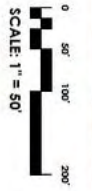
5 I declare under penalty of perjury that the foregoing is true and correct. Executed on  
6 May 9, 2022.

7  
8  
9 

10  
11 \_\_\_\_\_  
12 John Barnes, Architect (CA License 16944),  
13 Declarant

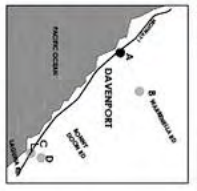
# EXHIBIT A

# COTONI-COAST DAIRIES DRAFT CONCEPTS



**DRAFT CONCEPT: WARRENELLA ROAD GATE**  
 Cotoni-Coast Dairies Trailhead Feasibility Refinements

JULY 2020



**A**

- LEGEND:**
- GRAVEL BASE
  - TRAIL OPPORTUNITY
  - RESTROOM
  - PICNIC SHELTER
  - OVERLOOK
  - CONTOUR LINES
  - CREEK ALIGNMENT
  - FENCING  
200 ACRES (84,448 SF)
  - GRADED AREA (PARKING)  
142 ACRES (6,238 SF)
  - CONTOUR INTERVAL: 5'
  - PARKING CAPACITY:  
67 STANDARD SPACES

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# EXHIBIT B

Exhibit B – BLM’s latest parking plan

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

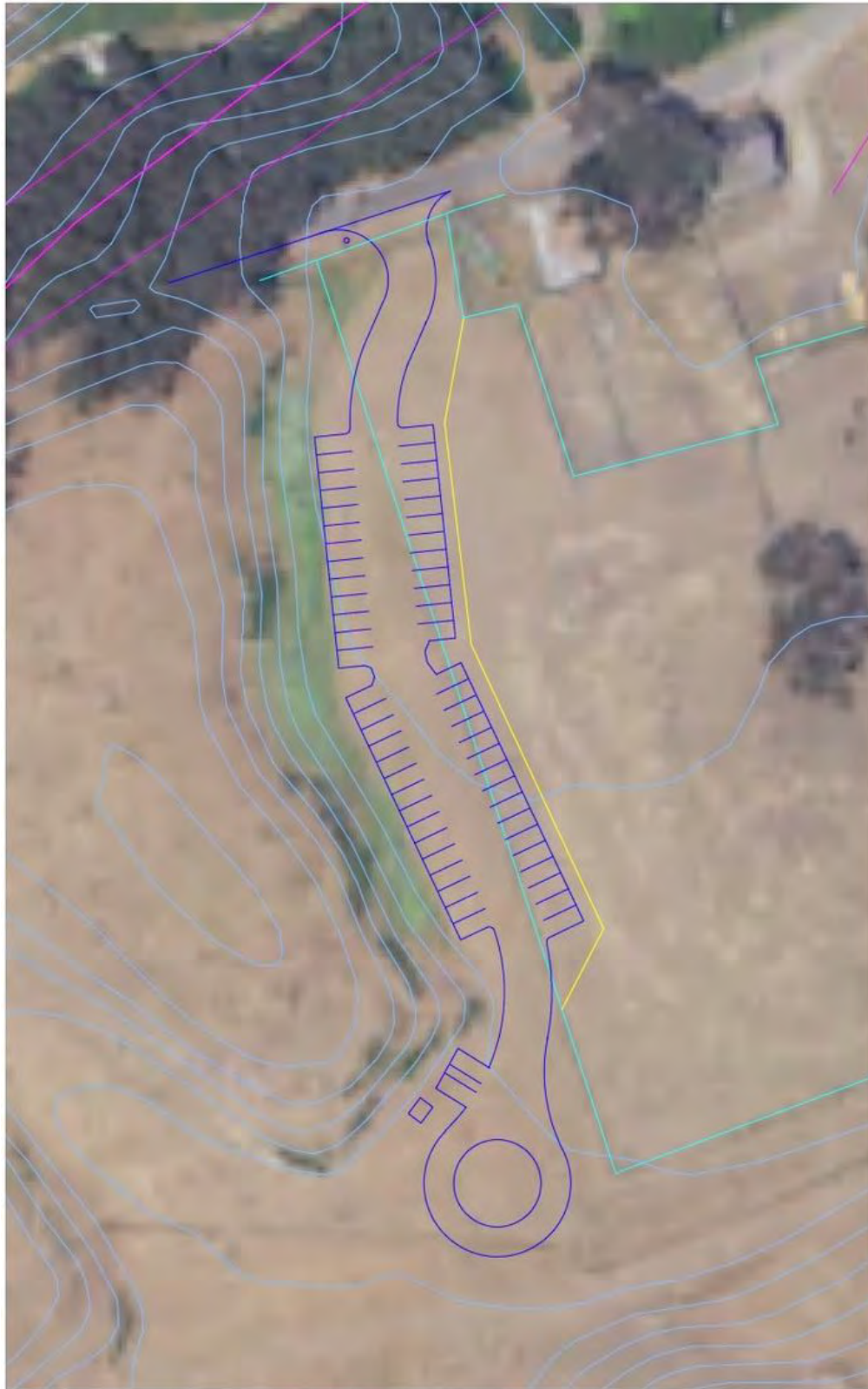




# EXHIBIT C

Exhibit C – DNCA alternative proposal (page 1 of 2)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



1 Exhibit C (page 2 of 2)

2  
3 3-18-2022

4  
5 A few things to note about this layout:

- 6
- 7 1. The parking and access road are laid out to avoid the steep slope of the mesa
  - 8 2. There's a power pole on Cement Plant Road right at the entrance location which
  - 9 I show (approximate) in the lower left corner. Your [John Barnes] parking
  - 10 layout does not show the pole and it didn't appear there was enough room to put
  - 11 the parking entrance road on the south side of the pole.
  - 12 3. The drawing shows the existing ranch fence in light blue and a proposed fence
  - 13 in yellow. The area of the parking impact into the coral would be about 0.29
  - 14 acres.
  - 15 4. There are roughly 55 parking spaces and 2 ADA spaces. You could probably
  - 16 squeeze in 10 more spaces or provide parallel parking in a few locations.
  - 17 5. The road is 24' wide, the parking spaces 9'x18' and the turnaround has 37' Rad.
  - 18
  - 19
  - 20
  - 21
  - 22
  - 23
  - 24
  - 25
  - 26
  - 27
  - 28



**Brian A. Hannegan, ASLA**

Manager of Landscape

Architecture

949 547 8596

# EXHIBIT D

1 Exhibit D (page 1 of 9)

2 Exhibit E to Declaration of John Barnes

3  
4 Email from County of Santa Cruz Department of Public Works Official

5 From: Steve Wiesner <[Steve.Wiesner@santacruzcounty.us](mailto:Steve.Wiesner@santacruzcounty.us)>

6 Date: September 10, 2021 at 10:34:53 AM PDT

7 To: JOHN BARNES <[johncbarnes@comcast.net](mailto:johncbarnes@comcast.net)>

8 Cc: Brian McElroy <[briancareymcelroy@gmail.com](mailto:briancareymcelroy@gmail.com)>, Mark Lipson

9 <[mark.lipson137@gmail.com](mailto:mark.lipson137@gmail.com)>

10 Subject: Cement Plant Road Acceptance

11  
12 Hi John,

13  
14 I had my staff research your questions and here's what we found. The questions you  
15 asked take quite a bit of time to research and even then the answers aren't always  
16 black and white.

17 We answered below in red, but thought it helpful to give a synopsis on what we found.

18  
19 Cement Plant Road Creation/ Acceptance:

- 20
- 21 • The ROW was originally part of State Highway 56C, the State realigned the Highway to present day Highway 1 and relinquished unneeded ROW to the County on 12/30/39 (see attached file: book 1 map 13).
  - 22 • The Highway relinquishment had a reference to record document 382or213, this should be available in the County recorders office.
  - 23 • Collier Burns accepted the relinquished highway sections into the current County system in 1947 – Road#300 "Coast Road", Ledger District 3 Sheet 2, Map Page 1 (See attached Collier Burns records).
  - 24 • The pieces of "Coast Road" separated by modern Highway 1 were ultimately given new names, including: "Old Coast Road", "Cement Plant Road", Davenport Landing Road", and "Swanton Road".
  - 25 • The County Surveyor, Greg Jones, recently organized a monument preservation project in that area, record map 122m35 (attached) was the product of that survey and may have some useful references.
- 26  
27  
28

-Steve

Exhibit D (2 of 9)

COUNTY OF SANTA CRUZ				SECONDARY SYSTEM		Sheet No. 2	
COUNTY ROAD INVENTORY				Road District Seaside		No. 3	
COMPILED TO November 19 47				Section No. 1 & 3			
ROAD NO.	OFFICIAL NAME	BEGINS AT	ENDS AT	LENGTH MI.	MAP PAGE	IMPROVEMENT	
						TYPE	WIDTH
SECTION 1.							
301	Empire Grade	Jamison Creek Road	Locatelli's Ranch Gate	1.00	U7-18	OE	16'-26'
SECTION 3.							
307	Alba Road	Empire Grade Road	Dist. Line at twin rdw.	.65	10-1	OE	14'
311	Bourq or Martin Road	Pine Flat Road	Ice Cream Grade	1.75	10-24	OE G	20'
300	Coast Road	St. Hwy. S. Davenport, on-off, parallel highway		9.00	10-7	RM. Con. BMo.	18'
312	Davenport Streets						
312.1	1st St. (newtown)	Coast Road	Dead end	.10	10-33A	OE	20'
312.2	2nd Street	Coast Road	Dead end	.10	10-33A	OE	40'
312.3	Cross or Adeline St.	1st St. (newtown)	2nd St. (newtown)	.05	10-33A	OE	20'
312.4	Church St. (oldtown)	Marine View Ave. past Church to Marine View Ave.		.10	10-33B	OE	16'
				Total	12.75		
AC	Armor Coat	Con. C	Concrete with curbs	Mc	Macadam	RM	Road Mix
B	Bituminous	E	Earth	O	Oiled	SC	Seal Coat
Con	Concrete	G	Gravel	PM	Plant Mix		

Office of Arnold M. Baldwin  
County Surveyor

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

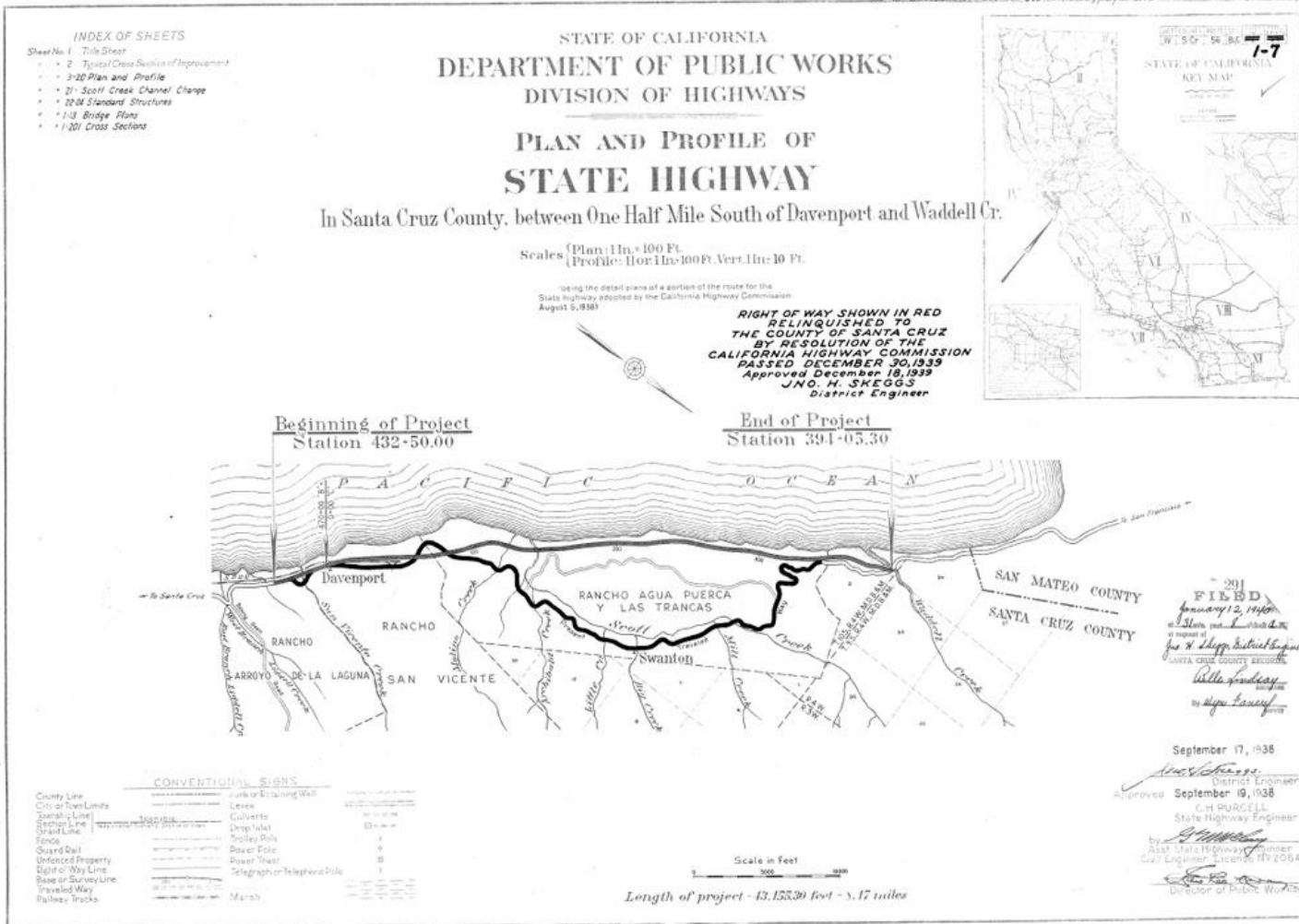




Exhibit D (4 of 9)

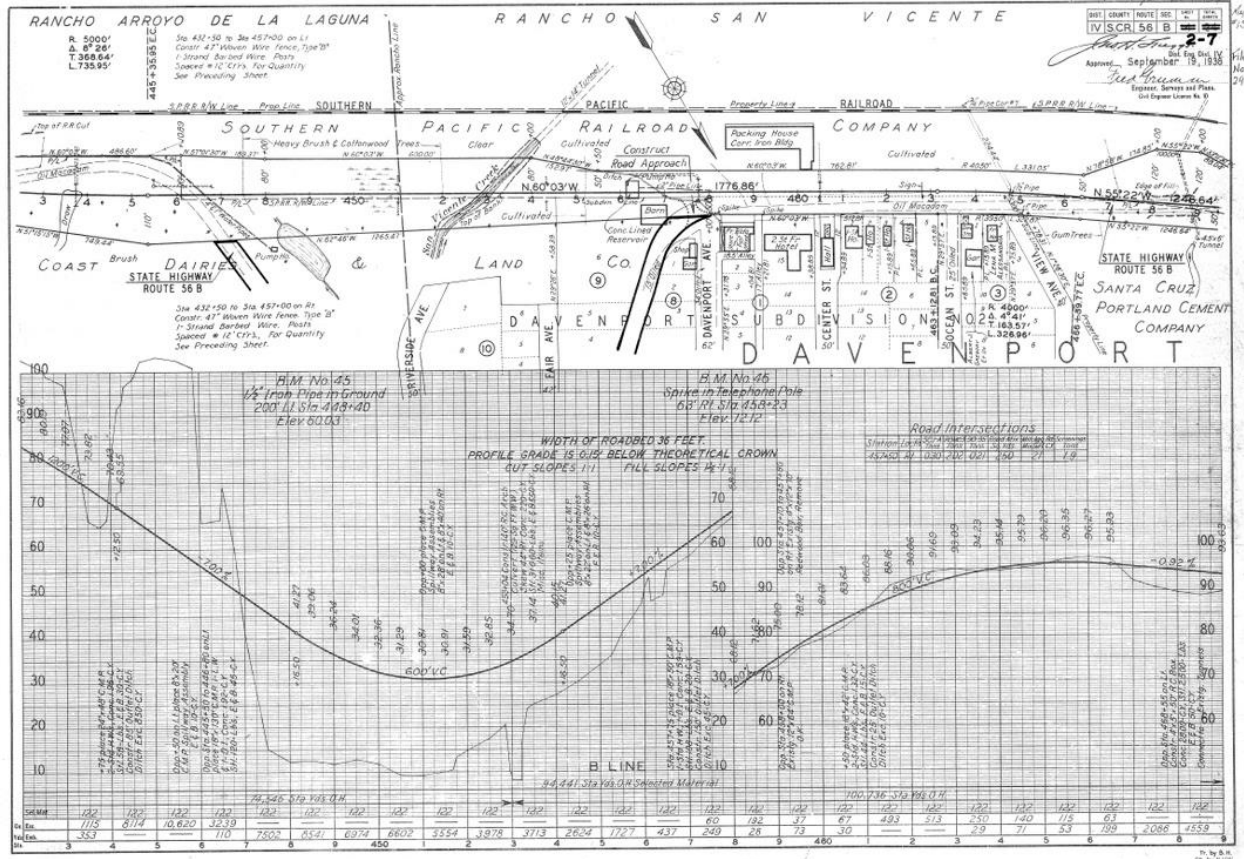




Exhibit D (5 of 9)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

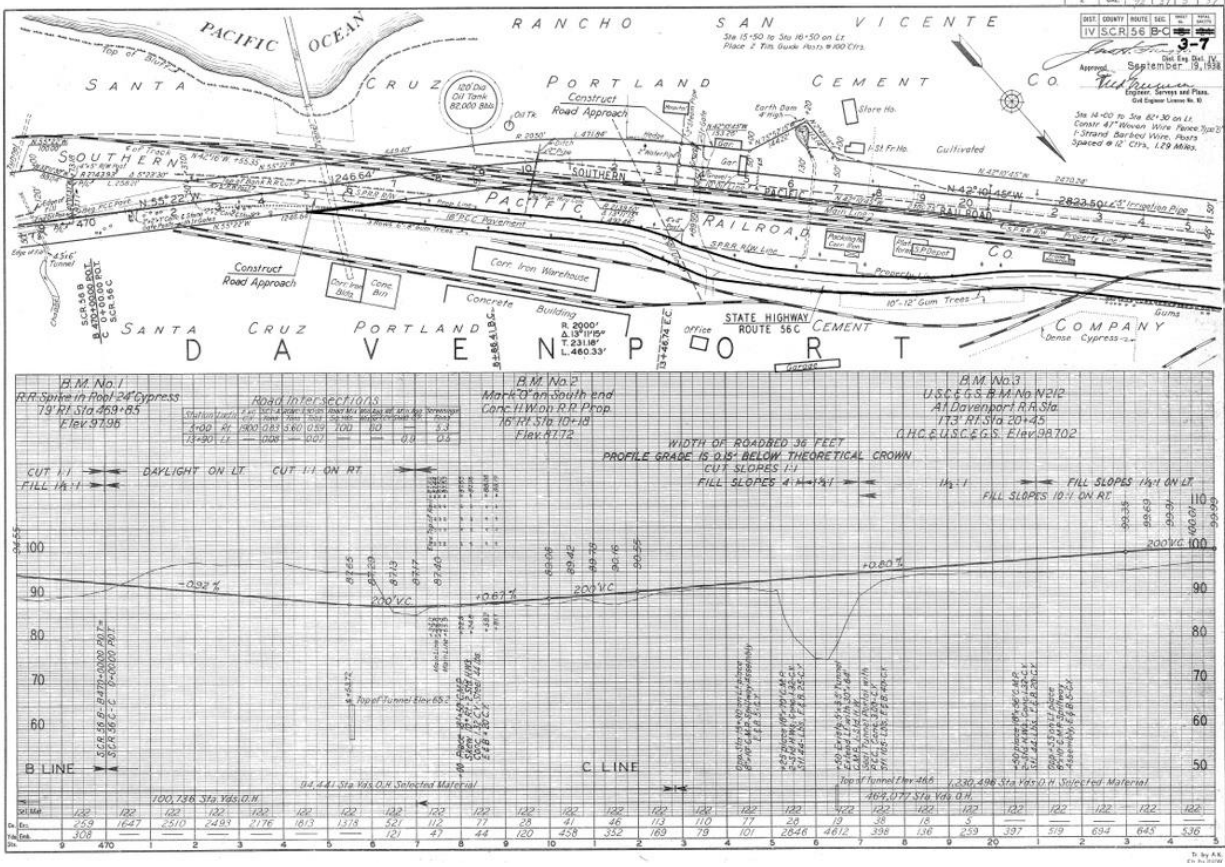




Exhibit D (7 of 9)

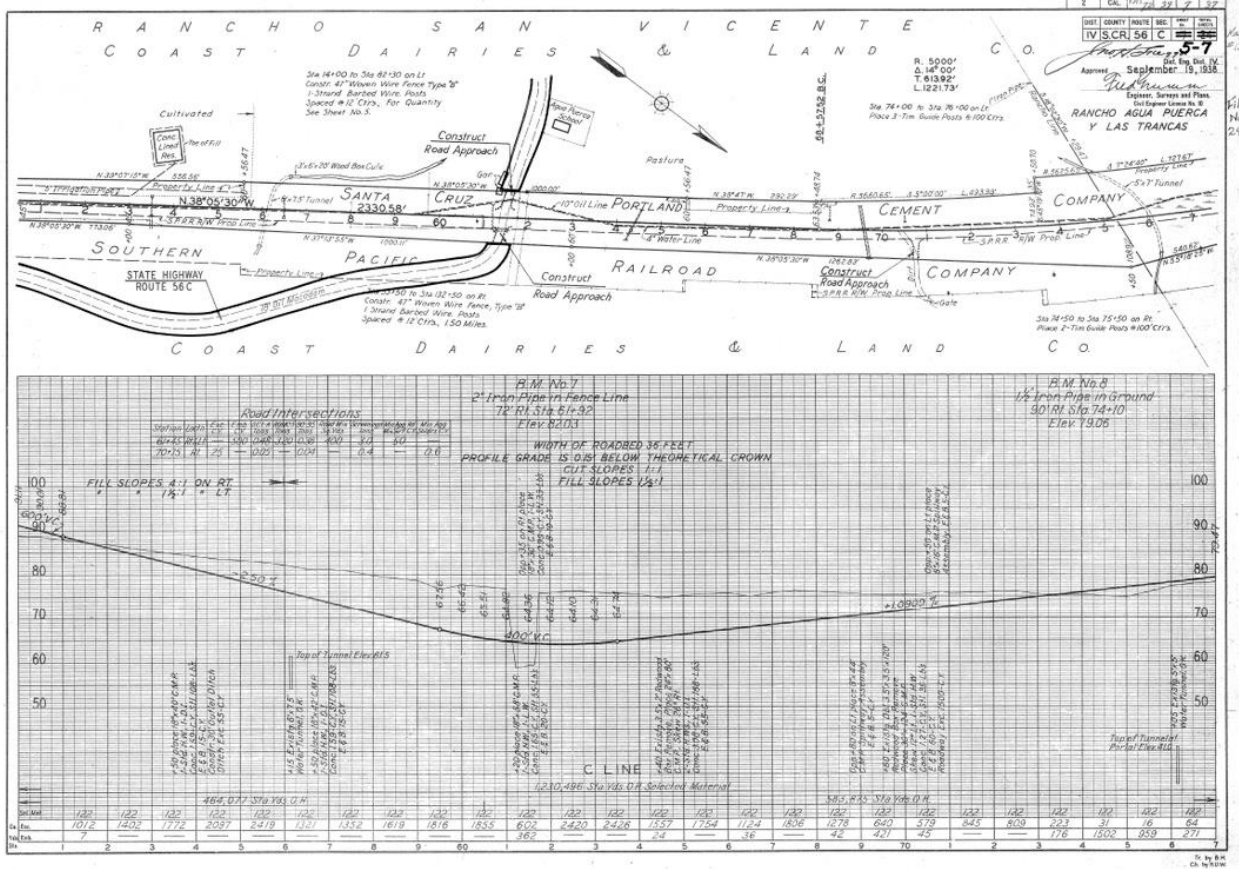


Exhibit D (8 of 9)

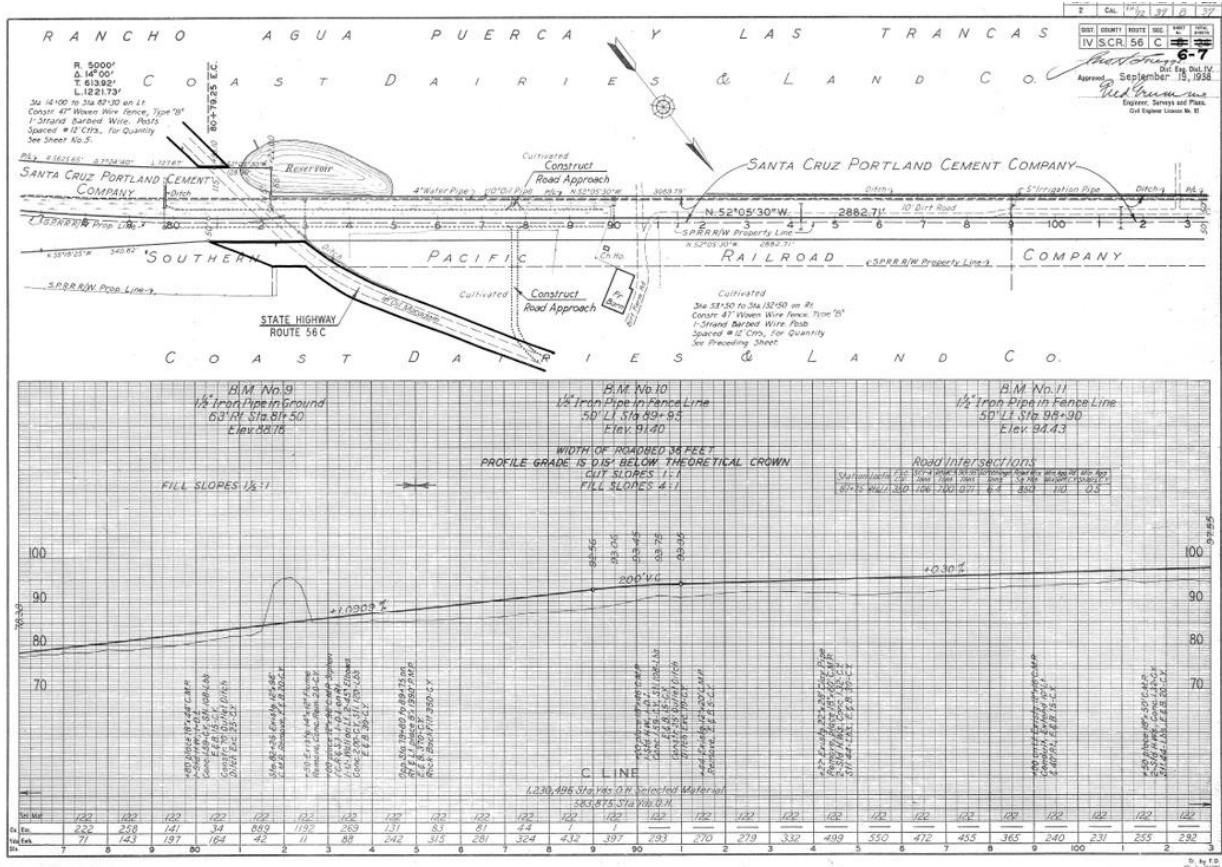
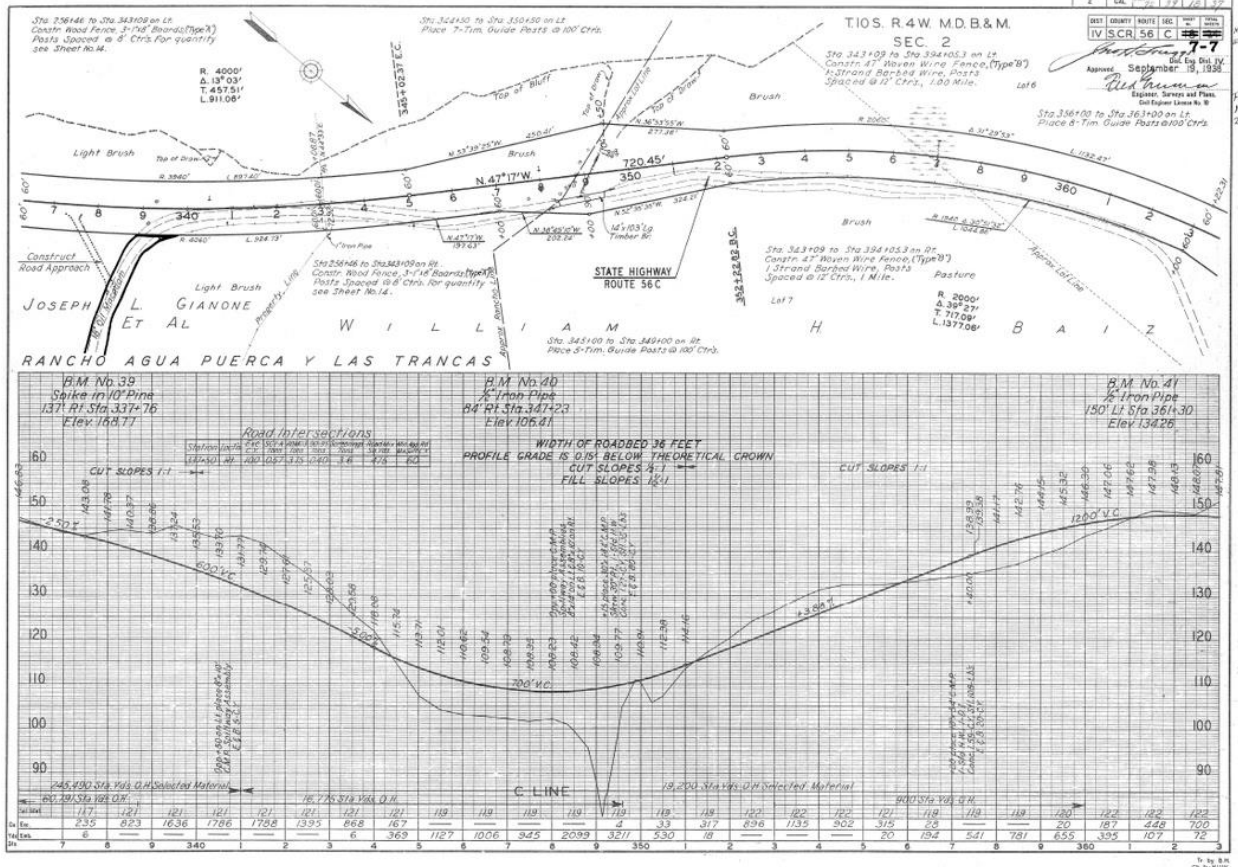


Exhibit D (9 of 9)

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28



1 **PROOF OF SERVICE**

2 I, Toyer Grear, declare as follows:

3 I am a resident of the State of California, and employed in Oakland, California. I am over the age  
4 of 18 years and am not a party to the above-entitled action. My business address is 1939 Harrison Street,  
5 Suite 150 Oakland, CA 94612. On May 11, 2022, I served a copy of the following documents:

- 6
- 7 • Declaration of John Barnes in Support of Motion to Stay

8  By electronically e-mailing a true and correct copy to the e-mail addresses set forth below.

9

10 United States Department of the Interior Office of Hearings and Appeals Interior Board of Land Appeals 801 N. Quincy St., Suite 300 Arlington, VA 22203 ibla@oha.doi.gov	Erica Anderson, Attorney-Advisor Office of the Regional Solicitor Pacific Southwest Region U.S. Department of the Interior 2800 Cottage Way, Room E-1712 Sacramento, CA 95825-1890 erica.anderson@sol.doi.gov
--	---

13


14  By enclosing the documents in an envelope provided by an overnight delivery carrier and  
15 addressed to the persons listed below and placing the envelope for collection and  
overnight delivery at an office or a regularly utilized drop box of the overnight delivery  
carrier

16

17 BLM California State Director 2800 Cottage Way, W1623 Sacramento, CA 95825	Office of the Regional Solicitor Pacific Southwest Region U.S. Department of the Interior 2800 Cottage Way, Room E-1712 Sacramento, CA 95825-1890
---	---

19 I declare under penalty of perjury (under the laws of the State of California) that the foregoing  
20 is true and correct, and that this declaration was executed May 11, 2022 at Oakland, California.

21

22 

23 Toyer Grear