

DNCA/FONC/RBDA SCOPING COMMENTS
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Davenport North Coast Association
Friends of the North Coast
Rural Bonny Doon Association

November 22, 2022

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Comments submitted via email to blm_ca_cotoni_coast_dairies@blm.gov

**Scoping Comments for BLM parking area and northern trailhead at Cotoni-Coast Dairies
Per PRESS RELEASE FOR PUBLIC SCOPING issued October 28, 2022**

Dear BLM:

This letter provides Scoping Comments in response to the October 28, 2022 BLM Press Release seeking public input on “a proposal for a parking area and northern trailhead at Cotoni-Coast Dairies [C-CD] near Davenport, California.” These Scoping Comments are submitted jointly by Davenport North Coast Association (“DNCA”), Friends of the North Coast (“FONC”), and Rural Bonny Doon Association (“RBDA”)¹ (and collectively “Commenting Parties”). The Commenting Parties were also the Appellants in the administrative appeal to the Department of Interior Board of Land Appeals (IBLA) which rendered a Decision on August 31, 2022 setting aside BLM’s prior Implementation Action for northern entrance parking and found BLM’s Implementation Action for a southern entrance “impossible” to implement. This new Public Scoping process is the result of that IBLA Decision.

Compliance with the IBLA Decision will not allow simply restarting the work described in BLM’s 4/13/2022 Revised Plan for the Northern Entrance. Rather a broader-scoped approach will be necessary, including concurrent processing of the BLM-supported Yellow Bank South Gate alternative Southern Entrance. **Commenting Parties are attaching a “Preferred Northern Entrance Package” (Exhibit A) which is compliant with the IBLA Decision** and is fundamentally comprised of alternatives BLM’s Decision Record states were considered and analyzed for both the Northern and Southern Entrances. As a result of new information and changed circumstances these alternatives can be re-evaluated and found feasible and preferable.

The basis of the IBLA Decision ordering BLM to set aside its Northern Entrance Implementation Action was “the importance [in the RMPA] of concurrently building both the Warrenella Road Gate and the Marina Ranch Gate Parking Areas and the potential environmental impacts of building only the Warrenella Road Gate Parking Area.” Commenting

¹ DNCA, FONC, and RBDA are local, long-standing civic and/or environmental organizations, each with roots developed over 50 years of representing the communities and environmental resources surrounding C-CD. More detailed information regarding our respective status as interested parties is set forth as a separate page at the end of these Comments.

Parties provide comments as to the scope of the proposal to be prepared and significant issues that should be addressed in a supplemental or new EA or an EIS (or a Re-evaluation Letter²).

Thus, without modification of previous plans for a parking area and northern trailhead, including selection of the Mocettini Barn site as the primary location of the access, parking area, and northern trailhead, as well as concurrent processing of the Yellow Bank South Gate proposal as the southern parking area, there are reasonably foreseeable environmental or social impacts which may “significantly adversely affect the quality of the human environment.”³ All of these impacts can be avoided by proceeding with our Preferred Northern Entrance Package pursuant to Exhibit A attached.

Scoping Comments

I. Environmental Impacts of Building Only the Warrenella Gate Parking Area Previously Identified by BLM and Affirmed by the IBLA would require Amendment of the RMPA Plan and EIS.

A. Detriment to the viability of the larger RMPA

The August 31, 2022 IBLA Decision describes “the importance of concurrently building both the Northern Entrance Warrenella Road Gate and the Southern Entrance Marina Ranch Gate Parking Areas as a “[g]iven,” *Id.* at 11. The IBLA cites to BLM’s own statement conceding that “failure to implement one of the two primary access points identified in the RMPA[] could be **detrimental to the viability of the larger RMPA.**” Emphasis added, *Id.* at 5, 11.

BLM described the major role played in the RMPA of having two primary access points by the following RMPA statements under the heading “1.8 Summary of Public Comments and the BLM Response in the Proposed RMPA/EA:”

(p.1-9)**These represent the major issues and concerns** expressed during the public comment period on the Draft RMPA/EA. The outline below includes a summary of how the BLM addressed the issues or concerns in the Proposed RMPA/EA.

(p.1-13)The BLM also incorporated an approach to developing public access to the C-CD that resembles the “Northgate” and “Southgate” recommendations that were submitted by the Davenport North Coast Association and the Rural Bonny Doon Association. Under the Proposed RMPA, the BLM would pursue development of the parking areas in RMZ 1

² Commenting Parties have previously provided BLM with a legal basis for proceeding with a more expeditious Re-evaluation Letter approach if BLM selects the Mocettini Barn Alternative Parking Lot and/ or the Yellow Bank South Gate Alternative Parking Lot given that the Decision Record states that BLM reviewed and analyzed each of these alternative proposals already.

³ National Environmental Policy Act (NEPA), 42 USC § 4332(C) (1982)

and RMZ 3 during Phase 1 to disperse visitor use and reduce potential for concentration of impacts at a singular parking area and/or trailhead⁴.

The Federal Land Policy and Management Act (FLPMA) requires BLM to conduct all management and implementation activities “in accordance with” governing resource management plans (“RMP”). 43 U.S.C. § 1732(a); see also 43 CFR § 1610.5- 3(a) “[a]ll future resource management authorizations and actions ... and subsequent more detailed or specific planning, shall conform to the approved plan.” This is known as the “FLPMA conformity requirement.” Building the Northern Entrance as a singular parking area and/or trailhead violates the FLPMA conformity requirement.

Hence, reversal of the RMPA provision requiring both a Northern Entrance (in RMZ1) and a Southern Entrance (in RMZ 3) would require Amendment of the RMPA as well as adoption of a new Implementation Action, and would require compliance with NEPA's “hard look” mandate, which, in turn, requires a current (but non-existent) inventory of resources (baseline). An EIS would likely be required as well. *This could be avoided by BLM circulating a Draft Proposal along the lines of Commenting Parties’ Preferred Northern Entrance Package which includes two primary access points, one each in RMZ 1 and RMZ 3 (Exhibit A attached).*

There are many individual aspects of the RMPA which are dependent on having two primary dispersed access points, one in RMZ 1 north of Davenport’s Warrenella Road and one in RMZ 3 south of Davenport and Bonny Doon Road. Appendix G, p.4, for example, provides that “[i]t is anticipated that visitation will be roughly split” between the Northern and Southern Entrances as to the 250,000 annual visitors estimated at full buildout. *Id.* emphasis added. Further, “BLM assumes that initial visitation will be higher for 6-12 months due to the novelty of public access to the C-CD.” *Id.* The result of doubling visitation at the Northern Entrance by an additional 125,000 annual visitors will include (but not be limited to):

- public safety hazards for access by C-CD visitors and local bicyclists and walkers due to the narrow stretch of Cement Plant Road southbound past Mocettini Barn Alternative Parking Area entrance precluding wide vehicles (e.g., RVs, vans, and trucks) from passing each other when travelling in opposite directions per the following video links. <https://youtu.be/6wGkWoxGxpw> and <https://drive.google.com/file/d/1kyHte2XOHowq0Mn7BcgOMFiwR4VLV3L9/view?usp=drivesdk>. Even sedans have to utilize the unpaved shoulder/drainage area to pass. This problem will be exacerbated by the increased volume of vehicles (including weekend peak hour traffic exceeding 111 trips⁵);

⁴ Another consequence of the lack of a Southern Entrance mentioned in the IBLA Decision is the loss of “horseback riding opportunities” which are “confined to the southern half of the property (south of Bonny Doon Road).” *Id.* Equestrian parking facilities are included only in plans for the Southern Parking Lot, with none in the Northern Entrance Parking Lot. Hence equestrian use is not viable with only the Northern Entrance access point being constructed.

⁵ possibly 168 trips, see II.C.1.a & b below.

- another public safety hazard will be the relocation of the Access Driveway to be located only 60' north of Warrenella Road (centerline to centerline) which does not conform to the adopted RMPA Plan or Traffic Study and which creates a substantial turning radius public safety impact according to this link <https://youtu.be/eksUrEOuvkY> and the Analysis of expert traffic engineer James C. Jeffery III, P.E., PTOE;
- another public safety hazard will arise due to potential need for left turn lanes at the intersection of Highway 1 with the northern end of Cement Plant Road and its concurrent intersection with Davenport Landing Road; and
- substantially inadequate parking capacity at BLM's recently 40% reduced capacity Warrenella Gate Parking Lot.

Since these aspects of the RMPA which are dependent on having two primary dispersed access points were not itemized in the IBLA Decision, they will be addressed under Section II of these Scoping Comments. Greater impacts on wildlife was an aspect itemized in the IBLA Decision and is discussed under Subsection I.C below.

B. Concentration of impacts at a singular parking area

Footnote 68 of the IBLA Decision refers to Appendix G, p.4 regarding how a northern and southern entrance “would aid in splitting the anticipated visitors between locations north and south of the town of Davenport.” Appendix G provides that “[i]t is anticipated that visitation will be roughly split” between the Northern and Southern Entrances as to the 250,000 annual visitors estimated at full buildout. Further, “BLM assumes that initial visitation will be higher for 6-12 months due to the novelty of public access to the C-CD.” *Id.* The result of doubling visitation at the Northern Entrance by an additional 125,000 annual visitors because the Southern Entrance is not built will be a concentration of impacts at a singular parking area.

The IBLA reasoned at pages 4 and 10-11 that the Resource Management Plan Amendment as adopted (citing Proposed RMPA-EA, Ch. 1 at 13) provided that:

The [Northern Entrance] Warrenella Road Gate Parking Area and the [Southern Entrance] Marina Ranch Gate Parking Area would both be built during Phase 1 to, among other things, “disperse visitor use and reduce potential for concentration of impacts at a singular parking area” (p.5)

and

BLM recognized the importance of concurrently building both parking areas “to disperse visitor use and reduce potential for concentration of impacts at a singular parking area.” (pp. 10-11)

Hence, it appears that the RMPA itself would have to be amended to allow the “concentration of impacts” which will occur if the Warrenella Road Gate parking area is to be the “singular parking area” for C-CD. This, in turn, would likely require an EIS.

The IBLA goes on to state at page 11 that:

“the potential environmental impacts of building only the Warrenella Road Gate Parking Area was new information or changed circumstances that imposed a duty on BLM to take a “hard look” at whether an additional NEPA analysis was required. Yet, there is no evidence that BLM took a “look”—much less a “hard look.” Instead, the evidence shows BLM gave the “false impression” that the Marina Ranch Gate Parking Area was still going to be built, or there was a possibility of it being built, when it issued the DR and approved IA MA-REC-23.”

Because BLM did not take the requisite “hard look” at the effect of the new information and changed circumstances that the [Southern Entrance] was impossible to implement, the IBLA ordered the Northern Entrance Implementation Action set aside. Because BLM never took this “hard look,” it failed to comply with NEPA and the regulations implementing NEPA in approving IA MA-REC-23. *Id.*

As Commenting Parties attorney noted in his original Comment Letter, the holding in *Landwatch v. Connaughton*, 905 F.Supp.2d 1192, 1197 (D. Or. 2012)⁶ is that to comply with NEPA's “hard look” mandate ... agencies are obligated to maintain a **current inventory of resources so that an adequate baseline exists** to evaluate the environmental impacts of a proposed action.

BLM’s duty to establish a baseline is heightened within a national monument. BLM policy requires the preparation of “inventories of the objects and values for which the Monument ... was designated” (BLM Manual 6220 §1.6.A.3 and G.4.a).

Commenting Parties repeat their many prior requests for a baseline inventory as described in detail in their February 25, 2022 “**Comments on BLM’s Biological Monitoring Plan**” which is Exhibit B attached. If there is any existing documentation which BLM considers to be a baseline inventory or a partial baseline inventory it should immediately be made available to the public. Any baseline inventory (or a portion thereof) resulting from the current process should be immediately identified and made available to the public.

C. Greater impacts on wildlife

The IBLA Decision identifies at page 11 potential environmental impacts of building only the Warrenella Road Gate Parking Area, referencing footnote 68 which points out that RMPA-EA, Chapter 4 at 18 notes that the “long-term impact on wildlife” will depend, in part, on the “distribution of the trails and parking areas.” **If only the Warrenella Road Gate Parking Area is built, will the concentration of impacts result in greater impacts on protected “objects” of the Monument, special status species, and wildlife which are part of a fairly intact ecological interdependent model of natural fauna?**

As explained in Subsection I.B above, if BLM builds only the Northern Entrance, the “hard look” requirement of the IBLA Decision applies and the holding in *Landwatch v. Connaughton*, *supra* provides that:

⁶ discussed in more detail under Section I.C below,

To comply with NEPA's "hard look" mandate, courts have held that agencies are obligated to maintain a current inventory of resources so that an adequate baseline exists to evaluate the environmental impacts of a proposed action. It is against baseline information that environmental impacts are measured and evaluated; therefore, it is critical that the baseline be accurate and complete. *Ctr. for Biol. Diversity v. Bureau of Land Mgmt.*, 422 F.Supp.2d 1115, 1163 (N.D.Cal.2006) (citing *Am. Rivers v. Fed. Energy Regulatory Comm'n*, 201 F.3d 1186, 1195, n. 15 (9th Cir.1999)).

Again, BLM's duty to establish a baseline is heightened within a national monument. BLM policy requires the preparation of "inventories of the objects and values for which the Monument ... was designated" (BLM Manual 6220 §1.6.A.3 and G.4.a).

Expert opinion supports a conclusion that if only the Warrenella Road Gate Parking Area is built, the concentration of impacts will result in greater impacts on protected "objects" of the Monument, special status species, and wildlife which are part of a fairly intact ecological interdependent model of natural fauna.⁷

Dr. Jacob Pollock has provided us with his professional opinion that:

Increasing the number of users at the north entrance would produce a proportional increase in the impact on wildlife: in other words, for example, doubling visitor use will double the impact on wildlife.

As I explained in my previous comment of July 24, 2020, more recreation means less protection for wildlife. In that comment I included a number of references to support this conclusion, and suggested that managers must understand these incompatibilities and take account of them when creating their management plan.

In the absence of any evidence to the contrary, generally each individual has the same impact on wildlife. On the face of it, this implies that doubling the number of users will double the impact on wildlife.

Some impacts, such as erosion, clearly depend on the number of users in pretty much a one to one ratio, so that doubling the users doubles the impact. However, other impacts such as wildlife impacts, are more complex and studies are needed to determine whether

⁷ Greater impacts to flora would also be likely in the event of concentration of visitation at a singular parking area. Dr. Grey Hayes previously provided the following relevant cites as to the impacts of more concentrated use on the Northern portion of C-CD (RMZ 1) and informed FONC that in his professional opinion such more concentrated use would have additional impacts.

Kuss, 1986: Botanical impacts of natural areas visitation can be both direct and indirect and **relative to amount** and **season of use**.

Pickering and Hill, 2007: This scientific review article illustrates the wealth of information documented for significant botanical impacts due to visitor use in natural areas. These include: clearance of vegetation for visitor use infrastructure, increased non-native species and pathogen invasion spread by humans' shoes, bikes, and clothing along trails and roads, edge effects extending greatly into surrounding habitat from trails and roads, and vegetation trampling, with impacts particularly acute to sensitive species.

the impact on wildlife of increasing the number of users is at a one to one ratio, less than one to one ratio, or greater than one to one ratio. For example, the impact may approach a threshold where at some point, the damage is already done and more users won't have any more impact. An example is extirpation of species in the local area. If the expected number of users is close to the threshold point, less than a doubling of the number of users will clearly have a major impact and the species will be extirpated in the local area. Conversely, if the expected number of users is already above the threshold, the species will already be extirpated and adding more users won't have an effect because the damage is already done.

Since the overall impact on wildlife is made up of many such unknown examples, in the absence of a thorough, species-specific study showing the contrary, the precautionary principle implies that doubling the use doubles the impact until studies are done to determine the specific impact for the species in question.

Dr. David M. Rubin addressed erosion, sedimentation, and turbidity affecting special status species in his 3/14/2022 Letter which was submitted with FONC's original Comment Letter.

The draft FONSI gives an inadequate, non-quantitative, treatment to the topics of erosion, sedimentation, and turbidity. It dismisses these potential impacts by stating that actions will be taken to "minimize erosion". In fact, there have been extensive quantitative studies of these sediment impacts. Many of these studies are cited and reviewed in the 2004 report, Salmonid Freshwater Habitat Targets for Sediment-Related Parameters, by the State of California North Coast Regional Water Quality Control Board (available at: https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/110504/110504-targets.pdf).

.... To evaluate this water-quality objective of not increasing concentration of suspended sediment by more than 20%) requires (a) measurements of background levels of suspended sediment and (b) quantitative predictions of whether the proposed actions will increase concentrations by more than 20%.

To evaluate this water-quality objective (suspended sediment concentration not to exceed 27 mg/L.) also requires (a) measurements of background concentration levels and (b) quantitative predictions of whether the proposed actions will contribute additional sediment that increases concentrations of suspended sediment to a value above 27 mg/L.

Matthew F. Hagemann, P.G., C.Hg., QSD, QSP concluded as set forth below in his 3/17/2020 Letter regarding potential erosion. This Letter was submitted to BLM with FONC's original Comment Letter.

Because of the vagueness of the measures that are included in the EA, impacts are impossible to determine, and mitigation is impossible to prescribe. In my experience, no erosion control measure operates perfectly and a dirt road or trail will erode and emit some amount of sediment during rain events. Based on my review of the various proposed trail maps, the presence of stream crossings, and the trails' proximity to the creeks, it is my professional opinion that there is a substantial question that the various proposed trails may degrade, individually or cumulatively, the water quality of the [north end] Molino Creek [and] Agua Puerca Creek,

Based on the proposed trail locations, my understanding of the limits of erosion control measures, and the existing presence of degraded conditions in several of the creeks, there also is a substantial question that the proposed trails may cause or contribute to violations of the turbidity standard established by the Central Coast Regional Water Quality Control Board for these creeks.

Given these substantial questions, an EIS should be prepared to include:

- An Erosion Control Plan that details the soil types, slope steepness, all crossings of any water crossings (to include seeps), along trails planned under each alternative.
- A project-specific SWPPP that is mentioned in Section 4.7.3 to include all BMPs that are planned to reduce impacts from erosion.
- Maps, in sufficient detail, to show trails, slope contours, and stream alignments (maps included in the EA in Appendix A are wholly insufficient in showing trails in relation to the topography and streams).

This information is necessary to determine project impacts and to mitigate resultant degradation of the environment.

Based on the expert opinions expressed above, the need for an EIS is magnified if visitation and trail usage is concentrated by proceeding with only a Northern Entrance project.

II. Environmental Impacts based on new information or changed circumstances subsequent to Environmental Assessment receiving FONSI (9/25/2021) should be avoided, and mitigations provided where harm has already been caused.

Subsequent to the Proposed RMPA-EA and accompanying FONSI issued by BLM on 9/25/2020, several substantial changes and significant new information or circumstances have occurred resulting in environmental impacts not previously evaluated. Substantial changes were made by the Central Coast Field Manager in his April 13, 2022 Modified Site Plan (“Revised Plan”) for the Warrenella Road Gate Parking Area, including its Access Driveway. The Revised Plan moves the Parking Lot Access Driveway intersecting with Cement Plant Road approximately 190 feet to the south to be within 60 feet (centerline to centerline) of the intersection with Warrenella Road. Removal of trees compromising Monarch Habitat and major rough grading of the Grasshopper Sparrow’s Grassland Habitat and significant disturbance of the roots and drip area of Monarch Habitat trees has caused environmental impacts which must be mitigated. If the Revised Plan is further implemented it will cause environmental impacts in the future to Monarch Butterfly habitat, to Migratory Bird habitat, to the public safety, to a parking capacity deficit, and to visitor ability to use and enjoy C-CD. In addition, the Revised Plan is noncompliant with the FLPMA conformity requirement in various ways previously described in Commenting Parties Petition for Stay to the IBLA.

A. Harm to Monarch Butterfly Habitat

Two Western Monarch Habitat Assessments have been made very recently and the results have established that there is an overwintering site for Monarchs in the area where BLM removed four mature Eucalyptus Trees and rough graded its proposed Warrenella Gate Parking Area (13 days before the IBLA Decision). This work occurred, and the Monarch overwintering site is located, in the adjoining large Grove lining both sides of Cement Plant Road north of Warrenella Road. The two Monarch Habitat Assessments are as follows:

(1) Most recently, on 11/21 & 22/2022, Dr. Bill Henry, Director of Groundswell Coastal Ecology, performed two site visits to the Grove and found 183 Monarchs clustering at 5 locations. See aerial and description of locations at end of Dr. Henry's Long Form Western Monarch Habitat Assessment (Exhibit C2). Dr. Henry assessed the situation where BLM removed the trees and graded the knoll adjacent to the Eucalyptus Grove. Dr. Henry concluded (among other things) that:

S wind protection now compromised by recent removal of a multiple large mature E. globulus trees; and

BLM recently cleared the area directly under the grove and clustering monarchs, disturbing roots and area under the drip line of the clustering trees. The clearing resulted in bare mineral soil and significant disturbance.

In his communications with the Xerces Society, Dr. Henry received the following affirmation that this site is definitely an overwintering site.

On Nov 22, 2022, at 2:49 PM, Emma Pelton <emma.pelton@xerces.org> wrote:

P.S. I just pulled notes from our database about this site, attached. Note that ~200 monarchs were reported in Dec 2015 and ~5,000 in Oct 1991. **This definitely qualifies as an overwintering site.** (Emphasis added.)

On Tue, Nov 22, 2022 at 2:44 PM Emma Pelton <emma.pelton@xerces.org> wrote:

Swift work Bill! Thanks so much for providing this information to us, BLM, Caltrans, etc.

(2) Justin Davilla, M.S., Senior Ecologist with Ecosystems West has performed two site visits (11/10 & 11/2022) and provided an Assessment (Exhibit C1) on behalf of Commenting Parties to observe for the potential presence of Western Monarch butterflies (*Danaus plexippus*) in the eucalyptus grove in the vicinity of the proposed Warrenella Road Gate Access Driveway. Mr. Davilla counted around 38 individuals in the trees on the east side of Cement Plant Road bordering the recently graded BLM trailhead parking area. According to Mr. Davilla this grove of trees has many of the attributes that Monarchs favor. The trees along the road are well protected from winds and storms by the dense grove of trees between Cement Plant Road and Highway 1. The grove has the

high-arched structure and eastern orientation that captures the sun as it rises in the morning creating a warm environment for overwintering butterflies. Mr. Davilla reports that this qualifies as an ideal location for autumnal gatherings of Monarchs and has the right features to be an overwintering site for the butterflies as well.

Mr. Davilla also reported that the four large eucalyptus that were removed this summer were in the ideal location to have provided additional over-wintering habitat. He indicated that the removal of the large eucalyptus would typically be a source of concern for the Coastal Commission. Eucalyptus and Monarch habitat are considered ESHA under the Coastal Act. He was provided with photographs of the four trees so that he could observe them prior to and during their removal. The removal of the four trees identified has the potential to adversely affect the attractiveness to Monarchs of the grove on the east side of Cement Plant Road. **It also makes avoidance of damage or destruction as to the remaining trees a greater necessity so as to maintain the ongoing attractiveness of the grove to Monarchs.** (Emphasis added.)

Monarchs are not yet listed under the Federal Endangered Species Act, but on December 17, 2020 USF&WS declared them to be candidate species and it is likely they will be listed in the next year or two. That said, removal of the trees without adequate analysis of whether they are habitat for a “candidate species” is not allowed under BLM policy. Furthermore, BLM’s Land Use Handbook specifically identifies changes in status (e.g. to “candidate status”) of special status species as new significant information. BLM Land Use Handbook, p. 37. Four Eucalyptus Trees in the Grove were removed by BLM while the IBLA Appeal was pending.

FONC informed BLM in a letter dated 6/7/2021 that Monarchs have been observed, numerous in population at times, in the Monarch Habitat woodland stand of eucalyptus trees along Cement Plant Road at the side of the Proposed Warrenella Gate Parking Lot. Commenting Parties further informed BLM in our 2/3/2022 Reply Brief on appeal of the Northern Entrance parking lot as follows:

On December 17, 2020, the U.S. Fish and Wildlife Service (“USFWS”) issued its finding that listing of the Monarch Butterfly as either endangered or threatened was warranted under the Federal Endangered Species Act (“ESA”). 85 Fed. Reg. 81813, pp. 19-22 (Dec. 17, 2020). However, its immediate inclusion on the lists was precluded by other higher priority amendments to the lists. *Id.* BLM’s Land Use Handbook specifically identifies changes in status of special status species as new significant information. BLM Land Use Handbook, p. 37. In its Answer, BLM did not dispute that, subsequent to the EA and well prior to the Decision Record, the Monarch butterfly was identified as a candidate species under the Federal Endangered Species Act (“ESA”). This new information is highly relevant to the potential impacts of Implementation Action: MA-REC-23, the Warrenella Road Gate parking and day use area, because that area will require disturbing the adjacent roosting habitat. There is no mention at all of Monarch butterflies in the EA. As the EA states, “Special status species

include those plant and animal species federally listed as Threatened, Endangered, Proposed, or **Candidate**...” EA, §3.5, p. 19. As a result, BLM is obligated to supplement the EA to address this significant new information relevant to Implementation Action: MA-REC-23.

The Monarch’s overwintering area includes C-CD as shown in the “Monarch (*Danaus plexippus*) Species Status Assessment Report, version 2.1,” September 2020, prepared by USF&WS. Eucalyptus trees are a favored habitat of Monarchs. *Id.* The EA acknowledges the presence of a woodland stand of eucalyptus trees within C-CD. EA, §3.2.2, p. 7 (Table 3.2.1-1). Figure 3.1-1 of the Existing Conditions Report prepared by ESA shows eucalyptus in the vicinity of BLM’s proposed Warrenella Gate parking lot. Coast Dairies Existing Conditions Report, Figure 3.1-1 (ESA, 2001) (incorporated by reference EA, §4.1.5, p. 3). Indeed, the record confirms an absence of any surveys of that location while acknowledging that “[i]t is reasonable to assess the Warrenella grove to check if monarchs are there....” However, BLM did not investigate the grove in preparing the EA or in reacting to the designation of the Monarch butterfly as a species warranted for listing under ESA.

By its location in an area where the adjacent eucalyptus grove does not border the east side of Cement Plant Road, the Mocettini Barn site would avoid removing Monarch butterfly habitat.

Under these circumstances the Eucalyptus Grove qualifies as Monarch overwintering habitat and it is necessary to avoid numerous vehicles driving, queuing, and parking adjacent to this habitat for clustering Monarchs. Furthermore, mitigation is required to compensate for the harm done to Monarch habitat by:

the removal of the four large eucalyptus trees which has compromised south wind protection; and

BLM having recently cleared the area directly under the grove and clustering monarchs and disturbing roots and area under the drip line of the clustering trees. The clearing resulted in bare mineral soil and significant disturbance.

Fortunately there is an alternative which will allow access to a parking lot at the Mocettini Barn Alternative and avoiding Monarch Habitat by locating the Access Driveway where shown in Commenting Parties Preferred Northern Entrance Package.

B. Harm to Migratory Birds by Grading and Tree Removal, Including Grasshopper Sparrow and Its Grassland Habitat

A separate question related to the removal of the four eucalyptus trees and the major grading⁸ of the grassland habitat on the adjacent knoll should be addressed within the scope of

⁸ There has never been any environmental review of any of the grading for the Warrenella Road Gate Parking Area, yet it was rough graded commencing about 13 days prior to the IBLA Decision and while a Petition for Stay had been pending for approximately 100 days. As a result of the Decision, further

the environmental review for a northern parking area and trailhead. That question is whether BLM assessed for migratory birds under the Migratory Bird Treaty Act prior to such grading and tree removal. The Migratory Bird Treaty Act requires BLM to perform such an assessment, in light of the Grassland on the knoll being habitat for Grasshopper Sparrows. ***If the assessment was not performed, mitigation for such failure and the resultant damage and destruction to such habitat and possible take of Grasshopper Sparrows should be provided and an enforceable provision established going forward to protect habitat of Grasshopper Sparrows and any other migratory birds whose habitat(s) were destroyed or damaged, as well as to prevent any future failure to comply with the Migratory Bird Treaty Act.***

BLM's "Regulatory Framework" acknowledges the applicability of the Migratory Bird Treaty Act at RMPA 1-8 and says it is implemented by USF&WS. RMPA section 2.7.1 says that one of the objectives of the RMPA is to "**Conserve habitat** for migratory birds and species listed on the U.S. Fish and Wildlife Service (USFWS) list of Birds of Conservation Concern." (Emphasis added.) RMPA section 3.5 states that C-CD contains habitats for multiple species of migratory birds and provides a partial list.

Pursuant to the Executive Order 13186, 66 Fed. Reg. 3853, (January 17, 2001), entitled "Responsibilities of Federal agencies to protect Migratory Bird Populations" BLM is subject to a MEMORANDUM OF UNDERSTANDING (MOU) between the U.S. Department of the Interior Bureau of Land Management and the U. S. Fish and Wildlife Service To Promote the Conservation of Migratory Birds. Under that MOU, VII.Q "The Bureau of Land Management Shall:

... follow all migratory bird permitting requirements for activities subject to 50 CFR part 21. While working through the permitting process with FWS, the BLM will, to the maximum extent practicable, minimize the intentional take of species of concern and, if necessary, develop standards and procedures regarding such take.

The definition of "take" in the MOU includes the following: "unintentional take, meaning take that results from, but is not the purpose of, the activity in question. Both intentional and unintentional take constitute take as defined by the regulation."

Under Section VII.F, BLM shall, at the project level, evaluate the effects of the BLM's actions on migratory birds during the NEPA process, if any, and identify where take reasonably attributable to agency actions may have a measurable negative effect on migratory bird populations, focusing first on species of concern, priority habitats, and key risk factors. In such situations, BLM will implement approaches lessening such take. Further, under Section VII.L, BLM shall "[m]inimize or prevent the pollution or **detrimental alteration of the environments** utilized by migratory birds whenever practical by assessing information on environmental contaminants and other stressors relevant to migratory bird conservation. (Emphasis added.)

grading work had to cease, although witnesses observed that while purporting to "button up the site" approximately one-half of the loop road was graded for the first time. Mitigation for this major alteration of the natural landscape should be provided, including, but not limited to, restoration or partial restoration based on parking demand.

FONC's 8/2/2019 Scoping Comments point out that **habitat destruction** as well as direct and indirect recreation-related disturbances is included.

In the MOU "Migratory Bird is defined as follows: "Migratory Bird – an individual of any species protected by the Migratory Bird Treaty Act; a list of protected migratory birds can be found in 50 CFR 10.13, (<http://www.gpoaccess.gov/cfr/index.html>)." The list includes *Ammodramus savannarum*, Grasshopper Sparrow of the Family PASSERELLIDAE. Grasshopper Sparrows were observed by a number of birders to use the now graded knoll as their habitat prior to its being graded. Grasshopper Sparrows are identified as an "Object" to be protected in the Presidential Proclamation making C-CD a unit of a National Monument and RMPA-EA 3.4 further indicates their presence in Cotoni-Coast Dairies grasslands. The Grasshopper Sparrow is also listed in Table 3.2-2 of the Existing Conditions Report prepared by ESA as a SPECIAL STATUS SPECIES REPORTED TO OCCUR WITHIN THE VICINITY OF THE COAST DAIRIES PROPERTY and a **Federal Species of Concern** whose General Habitat is Grasslands. Coast Dairies Existing Conditions Report, Table 3.2-2, p. 3.2-14 (ESA, 2001) (incorporated by reference at RMPA-EA, §4.1.5, p. 3, emphasis added).

Commenting Parties notified BLM in their 2/25/2022 Comments in BLM's Biological Monitoring Plan that the Grasshopper Sparrow is a:

sensitive species and "object" of the Monument ... found in grasslands and is part of the guild of grassland birds that have been identified by scientists as indicator species for grassland health.

Commenting Parties raised with BLM our concern that the "Status" in the Draft Monitoring Plan for the Resource Category of "Wildlife – Birds" is among those "Subject to available funding." We also directly requested that, given its effectiveness as an indicator species, BLM's Biological Monitoring Plan **add collection of pre-opening baseline data as to grasshopper sparrows sufficient to determine future trends.**"

Yet, we have no indication⁹ that BLM either assessed, sought a permit, or attempted to "[m]inimize or prevent the ... **detrimental alteration of the environment**[]" utilized by Grasshopper Sparrows" as practical "by assessing information" on harm which could be caused by grading the knoll which they inhabit. In any event, even though the grading has occurred, ***mitigation measures are warranted and should be included in any EA or EIS prepared pursuant to the BLM process now underway.***

⁹ A FOIA request is pending in this regard, as required by BLM.

C. Demonstration of safety hazards for C-CD visitors and local bicyclists and walkers

BLM's 4/13/2022 Revised Plan creates public safety hazards¹⁰ for C-CD visitors and local bicyclists and walkers due to:

1. The narrow stretch of Cement Plant Road southbound past Mocettini Barn Alternative Parking Area entrance precluding wide vehicles (e.g., RVs, vans, and trucks) from passing each other when travelling in opposite directions per the following video links.

<https://youtu.be/6wGkWoxGxpw> <https://drive.google.com/file/d/1kyHte2XOHowq0Mn7BcgOMFiwR4VLV3L9/view?usp=drivesdk>. Even sedans have to utilize the unpaved shoulder/drainage area to pass. This problem will be exacerbated by the increased volume of vehicles (including weekend peak hour traffic of 111 trips).

Furthermore, it appears that the Peer Review of the BLM Traffic Study done by Traffic Engineer Keith Higgins and submitted to BLM via FONC's attorney on 8/17/2020 was not considered. It was not included in the Administrative Record provided by BLM to the IBLA; nor was it ever included in the "DOCUMENTS" section of BLM's webpages on the C-CD RMPA-EA process.

In any event, will BLM please consider the Higgins Peer Review as part of this process?

That Peer Review points to data that supports a conclusion that visitation volume is understated in BLM's Traffic Study (Appendix K). Two glaring examples are below:

- a. the assumption in the RMPA-EA that only 65% of attendees would arrive by car is unrealistic, particularly since the Southern Entrance closer to the Santa Cruz urban area and UCSC would not be available. For example, if an assumption of 80% were applied to the 1500 Weekend All-Day Visitors in Table 2 on p. 4 of the BLM Traffic Study, the result would be 1200 visitors rather than 780.
- b. If the more evidence-supported average visitor vehicle occupancy of about 2.00 were applied to the 1200 visitor figure (rather than the estimate of 2.5 use in that Table), the number of Weekend All-Day Vehicles would be 600 and the corresponding Trip Generation would be 1200 (rather than 780). The Weekend Midday Peak Hour Trips would then be obtained by multiplying 1200 by a factor of 0.14 for a total of 168 trips in one hour rather than 111.

¹⁰ Additionally each violates the FLPMA conformity requirement in RMPA Section 4.12.2 under Transportation and Travel Management which provides that: ... "[t]he primary impact of concern would be any performance degradation of roadways providing key access to the parking areas on the Monument.

Even the 111 trips in the peak hour utilized by the BLM Traffic Study is nearly an average of two trips per minute. These trips will not be evenly spaced and in light of the video evidence that RVs meeting in the narrow stretch south of Mocettini Barn would not be able to get by each other and the RV heading north (downhill) would have to back up will quickly create a traffic snarl and a public safety hazard. If the Peer Review is correct, there will be an average of nearly three trips per minute, and an even greater resulting public safety hazard.

2. The doubling of visitation access at the Northern Entrance warrants re-evaluation of the need for left turn lanes at the intersection of Highway 1 with the northern end of Cement Plant Road and its concurrent intersection with Davenport Landing Road.
 3. Another safety hazard will be the relocation of the Access Driveway to be located only 60' north of Warrenella Road (centerline to centerline) which does not conform to the adopted RMPA Plan or Traffic Study and which creates a substantial public safety impact due to turning radius for tractor-trailers turning right onto Cement Plant Road according to this link <https://youtu.be/eksUrEOuvkY> and the Analysis of expert traffic engineer James C. Jeffery III, P.E., PTOE, (Jeffery Dec'1). Warrenella Road is a road heavily traversed by logging trucks, agricultural tractor-trailer trucks and other large and/or trailered vehicles. See, also, Barnes, McElroy, and Lipson Declarations in IBLA file (the latter including Apr. 26, 2022 letter from Big Creek Lumber to County Public Works Director).
- D. Inadequate parking capacity will result due to 40% reduction in number of parking spaces in BLM's 4/13/2022 Revised Plan and doubling of estimated visitors vehicles if Northern Entrance proceeds by building only the Warrenella Road Gate Parking Area. BLM's substantial (40%) reduction in parking capacity from 69 to 42 spaces is a direct violation of the FLPMA conformity requirement because RMPA § 1.8 (at p.14) was modified to respond to public comments persuading BLM "to develop a larger parking area for the northern portion of the property under Alternative D **to ensure adequate parking capacity under initial stages of development.**"

III. Alternatives not previously selected now made preferable based on (1) new information or changed circumstances; and (2) facilitation of opening to the public without amending RMPA or requiring EIS

Please analyze and discuss the following alternative(s) long raised by Commenting Parties which are now even more feasible and preferable, and will enable expediting the opening of C-CD to the public.

A. Alternative Northern Entrance

Since 2018 Davenport North Coast Association (DNCA) has proposed to BLM the Mocettini Barn alternative at the foot of the knoll above which BLM's Warrenella Road Gate Parking Area was proposed. FONC and RBDA have subsequently joined in supporting DNCA's Mocettini Barn alternative. **The Mocettini Barn alternative is shown on the 3/18/2022 Preliminary Plan and supporting Notes of the Landscape Architect (a link in Exhibit A) as to which analysis is requested, as well as analysis of improved or revised similar versions. The Mocettini Barn Alternative has been made preferable by the following new information and changed circumstances:**

1. Enabling 69 parking spaces instead of 42. The RRM 3/18/2022 Mocettini Barn Alternative Preliminary Plan Notes state that “[t]here are roughly 55 parking spaces and 2 ADA spaces. RRM notes that one could probably squeeze in 10 more spaces or provide parallel parking in a few locations. If one moved the ADA spaces down close to the restored Barn (preferable location) then those 2 ADA spaces can become 4 standard spaces in the parking lot for a total of 59 (55 + 4) and then when 10 more are squeezed in per RRM Notes there will be a total of 69 as previously approved by the Coastal Commission for the knoll top. In any event, there will be well more than the 42 shown on the BLM Revised Plan on the knoll top.
2. Enabling inland connection to knoll-top parking until Southern Entrance opened. By looking at the RRM 3/18/2022 Preliminary Plan it can be seen that the inland end of that parking area comes very close to the topographic feature of a sloped access up to the top of the knoll. BLM's 4/13/2022 Revised Plan already planned to use that feature to provide access from its knoll-top Trailhead down to the trails and grading has already occurred to enhance this existing opportunity. Utilizing that situation to allow a vehicle access to the knoll-top would enable an inland connection to knoll-top parking until the Southern Entrance Yellow Bank South Gate Alternative is processed, constructed and opened (target date 2026). This would provide necessary mitigation for the additional impacts during the three years or more that the Northern Entrance will be the sole access and need more parking in light of having to accommodate double the visitations. It would provide BLM with an argument to proceed with a Northern Entrance despite the IBLA Decision validating “the importance of concurrently building” both the Northern and Southern Entrances.
3. Enabling avoidance of the narrow stretch on Cement Plant Road. Other new information relevant to the preferability of the Mocettini Barn Alternative includes videos and photos demonstrating the lack of width of Cement Plant Road for visitors' vehicles to simultaneously traverse the road in opposite directions in a narrow stretch commencing about 120 feet south of Mocettini Barn. Hence, travel by visitors and others to an entry/exit adjacent to Warrenella Road will

create public safety hazards in that area as can be seen in the following videos:
<https://youtu.be/6wGkWoxGxpw>,
<https://drive.google.com/file/d/1kyHte2XOHowq0Mn7BcgOMFiwR4VLV3L9/view?usp=drivesdk>, and <https://youtu.be/eksUrEOuvkY> **These public safety hazards can be avoided by utilizing the Mocettini Barn Alternative.**

The County of Santa Cruz Department of Community Development and Infrastructure informed DNCA and FONC that the County has no plans to widen Cement Plant Road in that narrow location. Nor to that Department's knowledge does BLM. In any event widening would not be feasible economically or environmentally because major removal of inland-side Eucalyptus Trees observed to be a Monarch clustering and autumnal site would be required and/or due to observed red-legged frogs along the coastal side, as shown on the Davenport Quadrant of the CNDDDB Map.

4. BLM receipt of \$2.5 Million grant for restoration of historic Mocettini Cheese Barn and that project including funding to “improve recreation access.” BLM has received the FY 2022 Great American Outdoors Act Legacy Restoration Fund Grant for Restoration of Mocettini Barn (aka Cheese Barn Historical Site - CBHS). The CBHS occupies approximately 3 acres along Cement Plant Road. The official description includes the statement that “[t]his project will improve recreation access in Santa Cruz County and serve a largely urban population. It was described by the BLM Field Manager in an RBDA Public Meeting as a Living History Center and to the DNCA as a History/Event Center and as needing parking in the location generally shown in RRM’s 3/18/2022 Preliminary Plan. Proposed improvements include reconstruction of the parking area and entrance, a vault toilet, and other miscellaneous items.
5. Enabling combined parking area for Trailhead and Living History Center. During a March 28, 2022 meeting with DNCA Board members, former Field Manager Blom stated that another parking lot will need to be constructed by BLM to serve the intended Living History/Event Center in the soon to be restored historic Mocettini cheese barn. Mr. Blom further stated that the restored barn would require a parking lot closer than the planned Warrenella Gate Parking Area at the top of the knoll as shown in the Revised Plan. Mr. Blom indicated that the likely site for this additional parking lot was the very area that the Appellant DNCA has long advanced as a preferred site for parking for the Trailhead because the trail is shown adjacent to the inland end of the Mocettini Barn Alternative parking lot on Appendix A Figure 5D. In any event, as a practical matter, History Center parking will be needed and the only feasible option is the DNCA-proposed Mocettini Barn Alternative in order to satisfy the ADA and avoid existing constraints (topography, distance, life estate ownership to the north, Agua Puerca riparian corridor, and corral). Hence the most efficient plan would appear to be combined Trailhead and History Center parking at the Mocettini Barn Alternative location.

6. Enabling elimination of visibility of the primary parking lot from Highway 1, and minimization of visual impacts as to any potential mitigating use of the knoll top for parking while awaiting construction of the Southern Entrance. This is required by Appendix D: Project Design Features which addresses Visual Resources as follows:

Require parking areas, signs, and structures to be sited out of public view, and obscured by natural landforms and/or existing vegetation. Where proposed projects are unavoidably visible, identify those visual qualities worthy of protection and require the siting, architectural design, grading design, and landscaping to mitigate the impacts on those visual qualities.

The adopted RMPA identifies the viewshed from Highway 1 as worthy of protection¹¹; hence the FLPMA conformity requirement would apply.

7. The Mocettini Barn Alternative (as proposed) has no issues precluding its construction or requiring amendment of the RMPA or an EIS. The issues listed in the Decision Record have been demonstrated resolvable in that the 3/18/2022 Preliminary Plan by RRM Landscape Architects (Exhibit A) would provide sufficient parking for the forecasted visitation to the Northern Entrance (once the Southern Entrance is built) without substantial impacts to:
- existing livestock operations (will not interfere with operations any more than the Restored Barn and History/Event Center and the nearby Trails),
 - the integrity of the Mocettini cheese barn historic site (parking needed for Cheese Barn visitors and is on opposite side of wide corral), and
 - the riparian habitat associated with Agua Puerca Creek (275- 300 feet away).

Nor would there be an issue with salmonid habitat in Agua Puerca Creek which is 300 feet away from the parking lot and which NMFS describes at p.7 of its 12/4/2020 Concurrence Letter as having obstructions precluding migration of salmonids:

There are two known **complete** salmonid fish passage barriers in Agua Puerca Creek. The first barrier is a culvert under Highway 1 that is perched 7.2 feet at the outlet and is considered a complete barrier to fish passage. The second barrier is a flashboard dam with a culvert where the upstream end of the culvert is buried in sediment leaving no passage into or out of the culvert. Although juvenile *Oncorhynchus mykiss* (*O. mykiss*) occur in reaches above these barriers, they are assumed to be resident *O. mykiss* that **do not migrate** to and from the ocean.

and at p. 8

The **essential features** and/or physical and biological features (PBFs) of **critical habitat essential** for the conservation of CCC steelhead and CCC coho salmon are those sites and habitat components that **support freshwater migration corridors and are free of obstruction** and

¹¹ As, most emphatically, does the Coastal Act.

excessive predation. The PBFs **also** include **water quantity** and quality conditions and natural cover such as submerged and overhanging large wood, aquatic vegetation, large rocks and boulders, side channels, and undercut banks supporting juvenile and adult mobility and survival.

The foregoing conclusions by NMFS are supported by CDFW in a response to DNCA's John Barnes by email on 11/8/2022. See Exhibit D.

B. Alternative Southern Entrance. New information and changed circumstances regarding the Southern Entrance post-Decision Record includes a July 1, 2021 Proposal for an alternative to the Marina Ranch Gate Southern Entrance made to BLM by 7 Organizations (Trust for Public Land [TPL], Sempervirens, Santa Cruz Puma Project, Santa Cruz County Farm Bureau, Big Creek Lumber, Friends of the North Coast [FONC], and Rural Bonny Doon Association [RBDA]). At page 6 the IBLA Decision quoted from that Proposal letter as follows:

TPL noted that BLM's objection to studying this alternative in the proposed RMPA-EA was that BLM did "not have the authority to make decisions regarding private lands," and [TPL] stated that given "the fact that TPL owns the . . . land and is willing to convey" it "to BLM at no cost, BLM could readily gain the authority to 'relocate the Marina Ranch Gate access point' to the 'Yellow Bank South Gate alternative' as TPL proposes."

On July 30, 2021 BLM informed TPL that BLM supports that Proposal (known as the Yellow Bank South Gate alternative) in concept. Discussions subsequently between BLM and TPL have resulted in **the Yellow Bank South Gate Alternative Preliminary Plan (Exhibit E) and supporting RRM Memorandum (Exhibit F). Commenting Parties submit those two Exhibits as Scoping Comments along with the Joint Proposal Letter dated June 29, 2021 addressed to BLM.**

IV. Previous mitigation measures for the "4Ts" of Traffic, Trash, Toilets, and Trauma services must continue to be part of any future BLM Proposal.

Previous assurances to Commenting Parties regarding mitigation measures for traffic, trash, toilets, and trauma services will remain necessary. Specifics at the Northern Entrance include the following.

- A. Traffic. Mitigations should continue to include wayfinding signage on Highway 1, BLM websites, and social media stating that access to Cotoni-Coast Dairies is only via the northern end of Cement Plant Road. A "NO LEFT TURN" sign should be placed at the exit to the Northern Entrance Parking Area. As well as "NO PARKING" signs along the shoulders of Cement Plant Road. Speed bumps were to be installed along Cement Plant Road as well, slowing motorists headed north or south to the entrance.
- B. Trash and Toilets. Provide for at least one public restroom and adequately sized wildlife-resistant frequently-emptied trash receptacle.

- C. Trauma services (law enforcement, fire and rescue services). Provide fenced parking area with gate closed and locked sunset to sunrise, with no overnight parking or camping allowed.

V. Conclusion: Proceeding with Commenting Parties “Preferred Northern Entrance Package (Exhibit A attached) is the most effective and quickest approach to opening Cotoni-Coast Dairies to the public and avoids the need to amend the RMPA and prepare an EIS.

Commenting Parties’ organizations and connections include persons with substantial architectural, scientific, environmental, planning, and legal knowledge, skill, and experience and we have worked diligently to investigate and develop the Mocettini Barn alternative which the surrounding communities strongly believe would serve their interests while meeting the needs of BLM and other stakeholders. We continue to request a collaborative process involving stakeholders (including particularly the Coastal Commission Federal Consistency staff and Caltrans). Please enter into dialogue with us and consider the DNCA/FONC/RBDA Preferred Northern Entrance Package attached as Exhibit A. Thank you.

Sincerely,
Davenport North Coast Association
John Barnes
John Barnes, Authorized Board Member

Respectfully yours,
Friends of the North Coast
Website <https://friendsofthenorthcoast.weebly.com/>
Email address: friendsofthenorthcoast@gmail.com
Jonathan Wittwer
By: Jonathan Wittwer, President

Respectfully yours,
Rural Bonny Doon Association
Dave Rubin
By: Dave Rubin, Chair

ADDENDUM
ADDITIONAL INFORMATION RE: COMMENTING PARTIES

Davenport North Coast Association

DNCA is a community-based organization whose board is elected bi-annually by the residents of Davenport, New Town (Davenport), Molino Creek, Davenport Landing, Swanton Road, Last Chance, Waddell, Whitehouse Canyon, and other coastal areas north of Santa Cruz. The DNCA was founded in the 1950s and represents the interests of about 415 households along the North Coast of Santa Cruz County.

The DNCA:

- Operates as a clearinghouse of information between public/private entities and our constituents;
- Advocates for responsible land use and resource planning and full coordination by various agencies,
- Supports public safety for residents and visitors;
- Protects the natural resources of the North Coast; and
- Promotes measures to manage the effects of increasing numbers of visitors to the area.

The Davenport community served and represented by DNCA, will be greatly impacted by the approaches taken regarding the location of “a parking area and northern trailhead at Cotoni-Coast Dairies near Davenport, California.”

Friends of the North Coast

Friends of the North Coast is a non-profit public benefit corporation based in Santa Cruz, California. Until incorporating in 2020, FONC was an association protecting the natural and cultural resources of the North Coast for over 30 years and contributed funds toward the acquisition of Coast Dairies land purchased in 1998 which was transferred to BLM and ultimately became C-CD. FONC worked with the County to obtain a Board of Supervisors resolution regarding conditions necessary for the County to support the Obama Administration’s designation of the Coast Dairies as part of the California Coast National Monument and has tracked the subsequent steps leading to BLM’s management plan decisions. FONC’s members reside throughout Santa Cruz County, as well as in the vicinity of the C-CD.

Rural Bonny Doon Association

The Rural Bonny Doon Association (“RBDA”) is a non-profit corporation organized under Internal Revenue Code §501(c)(4) whose mission since 1957 has been to keep Bonny Doon rural and natural and whose members are residents or property owners in Bonny Doon, immediately east of the C-CD and accessible through the C-CD via Highway 1 and Bonny Doon Road. The natural and cultural resources protected by FONC and the community and resources served RBDA will be significantly impacted by the location and manner in which parking is provided to the northern entrance of C-CD.