

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



W17b

Filed: 11/30/10
180th Day: 5/29/11
Staff: Toni Ross-SD
Staff Report: March 24, 2011
Hearing Date: April 13-15, 2011

REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-10-089

Applicant: T-Mobile USA, Inc. Agent: DePratti Inc.; Debra DePratti

Description: After-the-fact approval for the installation of a wireless telecommunications facility consisting of a 52 ½ ft. high monopole with 12 mounted antennas and an 11-foot high, 170 sq.ft. equipment building and fencing.

Site: 2144 'B' Street, Camp Pendleton (Camp Del Mar), San Diego County

Substantive File Documents: Certified San Diego County Local Coastal Program (LCP); Coastal Development Permit Nos. 6-97-160, 6-98-74, 6-00-57, 6-00-159, 6-04-64, 6-04-65, 6-05-079, 6-05-080, 6-10-038.

STAFF NOTES:

Summary of Staff's Preliminary Recommendation: Staff is recommending approval of the proposed communications facility with special conditions. Adverse impacts to visual resources is the primary issue associated with this project. In this, case staff has concluded that potential impacts to the public viewshed along Interstate 5 (I-5) in the Camp Pendleton area have been addressed. The site chosen is necessary in order to provide T1 service (telephone hook-up/high speed internet access) to Camp Pendleton. In addition, Camp Pendleton has taken a new position in that it will only allow connection to telephone service (T1 lines) at the proposed location in the future. Any future telecommunication facilities must only be located at the site of this proposed cellular antenna (which will then relay service via satellite to other existing towers in the area). Although the project will be located on the west (ocean) side of I-5, the project site is only visible briefly to southbound traveling motorists from I-5 and the project site is largely obscured from public views due to the presence of other structures in the area. As such, no significant public view blockage issues arise with respect to ocean views. With the proposed conditions, potential visual impacts associated with the proposed development will be reduced to the maximum extent feasible, consistent with the Chapter 3 policies of the Coastal Act.

Standard of Review: Chapter 3 policies of the Coastal Act.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 6-10-089 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Co-Location of Future Antennae. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall agree in writing to cooperate with other communication companies in co-locating additional antennae and/or equipment on the project site in the future, providing such shared use does not impair the operation of the approved facility. Upon the Commission's request, the permittee shall provide an independently prepared technical analysis to substantiate the existence of any practical technical prohibitions against the operation of a co-use facility.

2. Future Redesign. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall agree in writing that where future technological advances would allow for reduced visual impacts resulting from the proposed antennas and associated equipment, the applicant agrees to make those modifications which would reduce the visual impact of the proposed facility. In addition, if in the future the antennas and associated equipment are no longer needed, the applicant agrees to be responsible for removal of them. Before performing any work in response to the requirements of this condition, the applicant shall contact the Executive Director of the California Coastal Commission to determine if an amendment to this coastal development permit is necessary.

3. Condition Compliance. **WITHIN 60 DAYS OF COMMISSION ACTION ON THIS COASTAL DEVELOPMENT PERMIT APPLICATION**, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. Proposed is the after-the-fact approval of the installation of a wireless telecommunications facility consisting of 12 mounted antennas, with four antennas each in three antenna arrays to be located on a new 52 ½ foot high monopole tower designed to accommodate co-location of additional wireless carriers and a 5-foot high chain link fence to surround the proposed facility. The supporting equipment will consist of six self-contained Base Transceiver Station (BTS) indoor equipment cabinets, one electric meter panel and one telephone interface. Each of the BTS units will contain the electronic equipment necessary to operate the facility. The BTS equipment will be located within a new, 11 ft. high, 170 sq.ft. pre-fabricated equipment shelter located at the base of the monopole

The proposed project site is located on “B” Street in a vacant area known as “Camp Del Mar” on Camp Pendleton, near the Del Mar boat basin and marina known as Del Mar Marina, west of Interstate-5 (I-5) at the southwest corner of the base. The site is accessed by existing paved roads that connect to the South Gate access to Camp Pendleton. The site is visible from the ocean to the west. However, due to the terrain and other existing structures in the area, the site is only visible for a brief moment while traveling southbound on I-5, which is east of the project site, and not at all while traveling on northbound I-5.

In 2004, T-Mobile proposed an identical project, however, later, the applicant withdrew the application (ref. CDP #6-04-064). Then again in 2006, T-Mobile proposed the

identical project. In April of 2006 the Commission approved, with conditions, the coastal permit application (ref. CDP #6-05-080/T-Mobile), but the special conditions were never met, and the permit has since expired. However, some time between 2006 and the present time, T-Mobile constructed the 52 ½ ft. high monopole with 12 mounted antennas and an 11-foot high, 170 sq.ft. equipment building, including fencing. As such, the proposed coastal development permit request represents an after-the-fact approval for what currently exists at this location. Because there is no certified LCP for this area, the standard of review for this development is the Chapter 3 policies of the Coastal Act. Thus, the project's consistency with the Coastal Act is discussed below.

2. Visual Resources. Section 30251 of the Coastal Act is applicable and states, in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas...

The project site is visible from I-5, which is a major public access route and is designated in the previously certified San Diego County land use plan as a scenic corridor. Between Oceanside and San Clemente, there is a stretch of highway (approximately 17 miles long) which essentially has no development on it other than a few Camp Pendleton structures (many of which are shielded from view due to existing topography). This stretch of highway is very scenic and offers beautiful panoramic views of the Pacific Ocean while looking west. This is particularly true for motorists who are traveling southbound as views are generally unobstructed while looking west (northbound traveler's views are somewhat obstructed at various points along the northernmost portion of the highway looking west due to a black chain link fence that is located in the median divider that was installed for purposes of Border Patrol operations). As noted, two telecommunication towers currently exist on site, including a 125-ft-high lattice-type tower which is visible from I-5 about ½ mile away if one is focused on seeing it. The proposed 52 ½ ft. high monopole facility will be partially visible from I-5 southbound under the same circumstances, but only briefly as it becomes obscured due to existing terrain and other existing structures in the area. It will not be visible from northbound I-5.

According to the applicant, the project site was chosen as the preferred location to meet coverage objectives of the search area. The applicant did, however, conduct an alternatives analysis. It has indicated that the following sites were considered as alternative sites for provision of wireless coverage to the targeted area:

Alternative Site #1 – Enlisted Personnel Barracks (BEQ), Camp Del Mar

The Base Enlisted Quarters (BEQ) barracks building was originally considered as a potential site; however, Camp Pendleton discourages the use of residential facilities for siting of antennas. In addition, Camp Pendleton is planning a total redevelopment of the living quarters on Camp Del Mar as part of a base renovation project. The redevelopment of the barracks would require the relocation of the antennas, if installed.

Alternative Site #2 – Open Area ½ mile Northeast along I-5

An open field approximately ½ mile northeast of the Camp Del Mar Communications tower site was considered as an alternate tower site but was eliminated as a site candidate because the area is used as a training area. Also no utilities, either electrical power or telephone, exist at or near the site, further limiting the development potential of the area. This site would be more visible from I-5 than the proposed site, creating additional adverse visual impacts.

Alternative Site #3 – Camp Del Mar

This site has the advantage of being at the “sonnet” or main interconnection for telephone lines coming into Camp Pendleton. Other advantages include the room for another smaller monopole or tower in the same area for access to the sonnet. The site does not interfere with any base operations or training activities.

Of the three alternative sites described above, the applicant chose the subject site (alternative #3) as the best alternative. The applicant has indicated that the proposed site is part of a network of 14 sites within the boundaries of Camp Pendleton designed to provide coverage to the entire Marine Corps base. Constraints and limitations of topography, existing buildings and landscape all factor into designing both the network and location of each cell site. The overlapping coverage footprints of each site are combined to give coverage to the entire base. Camp Pendleton officials strongly urged co-location in the design of the network and only allow construction of a new vertical antenna structure where no other alternative is available. Of the 14 sites proposed on Camp Pendleton, only three sites are located in the Coastal Zone. The proposed site was one of the sites requiring a new freestanding structure because the remaining space on the existing 124-foot high Base Tower is reserved for military-related communications only. The location and construction of the new 53-foot high monopole is proposed at the request of the Commanding General of the Camp Pendleton Marine Base.

The existing Camp Pendleton Base Communications Tower (124 ft. high lattice tower) is currently in use by both base telephone and Cingular Wireless and Camp Pendleton will not allow co-location on the existing tower. The existing tower is now occupied by six microwave dish antennas along with 12 Cingular Wireless (formerly A&T) antennas and the remaining antenna locations are reserved for Base Telephone microwave dishes. The proposed T-Mobile tower will allow for co-location by another carrier (Nextel) and will be lower in height (53 feet tall) in order to avoid additional visual impacts.

The applicant has also indicated that there is no available T1 services (telephone hook-up/high speed internet access) on Camp Pendleton other than at the project site. Without this T1 service, the proposed wireless facility cannot operate. The proposed project site is the only place where the base command will allow T1 lines to be installed. Once installed in this location, other facilities on the base can be tied in by microwave or satellite dish. All 14 of the other sites mentioned earlier are designed to ultimately tie in to this location by microwave dish. If this particular project is not installed, none of the other sites will be able to function or operate.

Again, the existing lattice tower belongs to the base command department which includes some of the base's own infrastructure and command equipment. The Base Command stated that the military does not have the space and does not want to give up space on its tower to outside entities because then it may not have room to support new requirements for military base purposes (ref. Exhibit No. 7/letter from Base Command). Essentially, that letter indicates that T-Mobile (applicant) was not permitted to co-locate on the existing tower and must construct a stand-alone structure. Base Command even indicated that in the future, it may want to co-locate on the proposed tower for its own purposes, if necessary.

In the past, the Commission has approved cellular antenna facilities at different areas of the Camp Pendleton Base. However, in this particular case, the reason that the proposed project is being proposed on the west side of I-5 is that the military base has taken the position that there are now so many cellular antenna facilities on the base that they are beginning to adversely affect base operations. As such, Base Command is no longer allowing cellular facilities to be spread out on the base. From now on, Base Command will only allow telephone accommodations to be located at the proposed site. Service will then be provided via a satellite antenna or similar device to other towers that exist on the base. As noted previously, there are still various towers along I-5 that are in the coastal zone. The telephone hook-up (T1 service) is relayed by satellite dish to the other towers. This is different than past practices when the base allowed new facilities to tie into the base telecommunications system.

Because the project site is west of I-5, a major public access route designated by the San Diego County Land Use Plan as a Scenic Corridor, the installation of the proposed wireless communication facility could result in adverse visual impacts as viewed from I-5. The project is located west of I-5 where the Commission is more particularly concerned with impacts to ocean views than for example, sites located on the east side of I-5. The applicant has submitted several visual simulations for purposes of demonstrating that the proposed project will not impact public views to the west. The photos were taken from the overpass off of I-5 south looking west. While driving south, the views of the monopole will be obscured almost entirely by existing structures (see last photo simulation). As such, the tower is only going to be noticeable for a brief moment when there is a free clearing in the sight line from southbound I-5. The applicant has indicated that a southbound traveling motorist will not notice the proposed antenna. Instead, what may be noticed is the rail yard facility that is right next to I-5 and the rail switching yard (which is often occupied by rail cars that would further obscure views of the proposed monopole). There are other structures in that area, including barracks, chapels, other base buildings, light poles, telephone lines, etc. As one drives along southbound I-5 depending on the angle of the view, there are places where the monopole will be tucked in closer behind the existing tower and won't be visible at all. Also, because it will be so much lower in height than the existing 124-foot high lattice tower, it will be even less noticeable.

Because the project has already been constructed the actual impacts of the telecommunication facility can be assessed. As such, Commission staff recently conducted a site inspection while traveling both northbound and southbound on I-5. Staff's site inspection confirms that the proposed structure does not have significant impacts on views toward the ocean because of the surrounding topography and existing development. In fact, staff was unable to locate the telecommunication facility after numerous attempts while driving both north- and south-bound on

Interstate 5. Therefore, in summary, based on the above described alternatives analysis, the Commission finds that the proposed project site is the least environmentally-damaging location. The proposed 53-foot high monopole is virtually invisible from southbound I-5 and will not result in view blockage of the ocean while looking west, resulting in no significant adverse impacts on visual resources.

While the proposed facility does not have significant adverse impacts on the visual quality of the area, the Commission is concerned that cumulatively, installation of additional similar projects in the area could have adverse impacts on visual resources. When reviewing cellular antenna facility sites, the Commission must assure that the facility is necessary, that it must be located at the site chosen, that it is the smallest in size and shortest in height that it can be, and that it cannot be co-located with another existing site nearby or located elsewhere, in order to reduce any potential adverse visual impacts associated with such facilities. As demand for wireless communication facilities increases, it is likely that other service providers will be interested in placing additional structures, antennae and equipment in the project area, and the Commission is concerned that cumulatively, installation of additional similar projects in the area could have adverse impacts on visual resources. For example, at the project site location, the skyline and blue water views would have a completely different appearance if they were cluttered with several tall monopoles which would result in a significant adverse visual impact to motorists along I-5 looking west. However, in this case the visual impact of the proposed monopole will be minimal because it is only visible for a short glimpse from I-5 to the east. In addition, it is much smaller than the existing 124-ft. high lattice tower and various structures on the base will further mask it from the highway. But the Commission notes that this situation is an example of how multiple telecommunication facilities have the potential to cumulatively impact visual resources.

Co-location is the preferred way to provide future telecommunication services. If co-location is not possible, then the visual impacts of such structures must be mitigated either through project design or siting so as to not result in adverse cumulative visual impacts. The applicant has indicated that most of the carriers have their own networks established on Camp Pendleton and that there will not be a need for another tower at this particular location. If anything, other carriers may co-locate on the proposed structure.

To ensure that such co-location takes place in the future, Special Condition #1 requires that the applicant submit a written statement agreeing to cooperate with other communication facilities in co-locating additional antenna on the proposed development, unless the applicant can demonstrate a substantial technical conflict to doing so. In addition, Special Condition #2 requires the applicant to submit a written statement agreeing to remove the structures and restore this site in the future should technological advances make this facility obsolete. In this way, the Commission can ensure that these types of facilities will be limited to appropriate locations and that the area will not be littered with outdated and obsolete facilities in the future. Therefore, the Commission finds the project is consistent with the Chapter 3 policies of the Coastal Act with respect to preserving visual resources.

In summary, the Base Command has indicated that it will no longer allow telephone co-hookups anywhere but at the location that is currently proposed. As noted previously, there are still various towers along Interstate-5 on the Camp Pendleton Marine Base that are in the coastal zone. The T1 service (telephone hook-up/high speed internet access lines) is relayed by satellite dish to the other towers. While the proposed facility will be 52 ½ feet high, it will not be visually prominent or result in public view blockage to the ocean. Furthermore, it will not adversely affect the scenic coastal area and will be visually compatible with the character of the surrounding area. Therefore, no adverse impacts to scenic coastal visual resources are anticipated and the project is consistent with Section 30251 of the Coastal Act.

3. Public Access. Coastal Act Section 30212(a) is applicable to the project and states the following:

Section 30212(a)

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

- (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,
- (2) adequate access exists nearby, or, [...]

The subject site is located between the first coastal roadway and the sea. However, it is located on a military base (Camp Pendleton), and as such, the provision of public access at this location is not required because it would be inconsistent with military security needs. Adequate access to the shoreline exists approximately half a mile south of the project site in the City of Oceanside, as well as to the north of the base at the San Onofre State Beach. As such, the proposed development is consistent with Section 30212(a) of the Coastal Act.

4. Unpermitted Development. Unpermitted development has been carried out on the subject site without the required coastal development permit. The applicant is requesting after-the-fact approval for construction of the wireless communications facility. To ensure that the matter of unpermitted development is resolved in a timely manner, Special Condition #3 requires that the applicant satisfy all conditions of this permit that are prerequisite to the issuance of this permit within 60 days of Commission action, or within such additional time as the Executive Director may grant for good cause.

Although development has taken place prior to submission of this permit application, consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Review of this permit does not constitute a waiver of any legal action with regard to the alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

5. Local Coastal Planning. Section 30604 (a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

The subject site is located on the Camp Pendleton Marine Base, a federally owned and operated military facility used by the United States Marine Corps and located in an unincorporated area of the County of San Diego which is not subject to local permit review by the County. In addition, although the project is subject to the Commission's Federal Consistency Review Process, the Commission's act of granting a coastal development permit to the applicant functions under the California Coastal Management Program as the equivalent of a concurrence under the Coastal Zone Management Act. Because there is no certified LCP for this area, the standard of review for this development is the Chapter 3 policies of the Coastal Act. Based on the above discussion, the Commission finds that the proposed development, as conditioned, is consistent with all applicable Chapter 3 policies of the Coastal Act and as conditioned, no adverse impacts to coastal resources are anticipated.

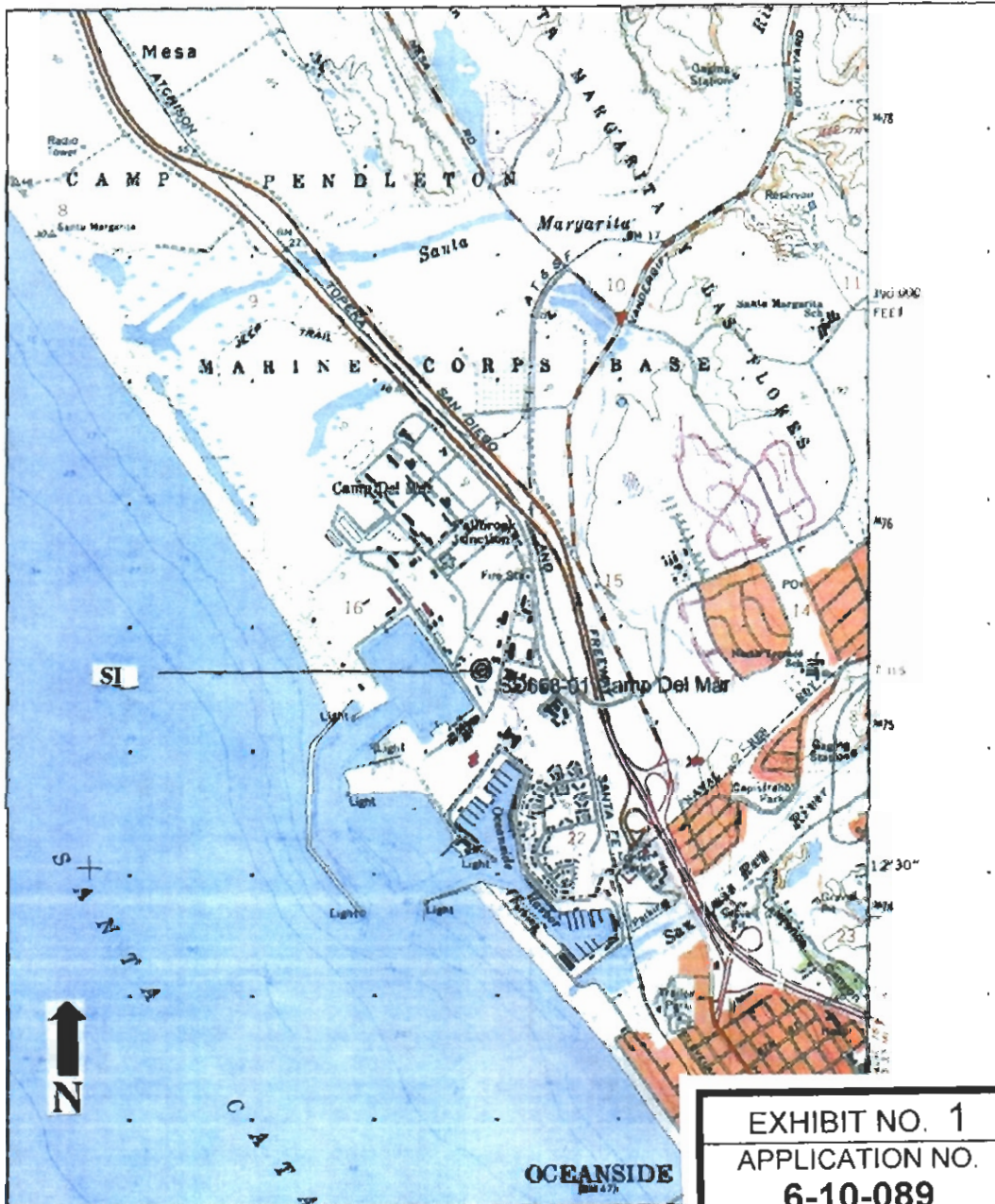
6. California Environmental Quality Act (CEQA). Section 13096 of the California Code of Regulations requires Commission approval of a coastal development permit to be supported by a finding showing the permit to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

As discussed herein, the proposed project, as conditioned, will not cause significant adverse impacts to the environment. There are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the proposed activity may have on the environment. Therefore, the Commission finds the proposed project, as conditioned, is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.



Name: OCEANSIDE
 Date: 3/31/05
 Scale: 1 inch equals 2000 feet

Location: 033° 13' 11 2" N
 Caplin: SD658-01 Camp

EXHIBIT NO. 1
 APPLICATION NO.
6-10-089
 Location Map

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APPROVALS

DATE	BY
DATE	BY
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DATE	BY
DATE	BY

PROJECT NAME
CAMP DEL MAR

PROJECT NUMBER
SD06858

2144 B STREET
 CAMP PENDELTON, CA 92025
 SAN DIEGO COUNTY

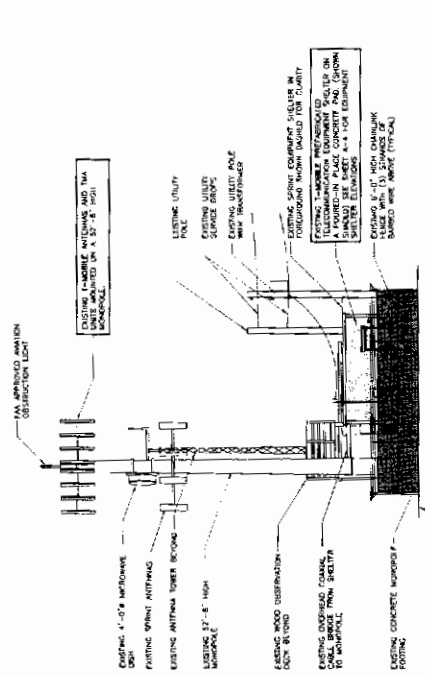
DRAWING DATES

12/14/03
12/17/03
01/14/04
02/10/04
02/24/04
03/11/04
03/22/04

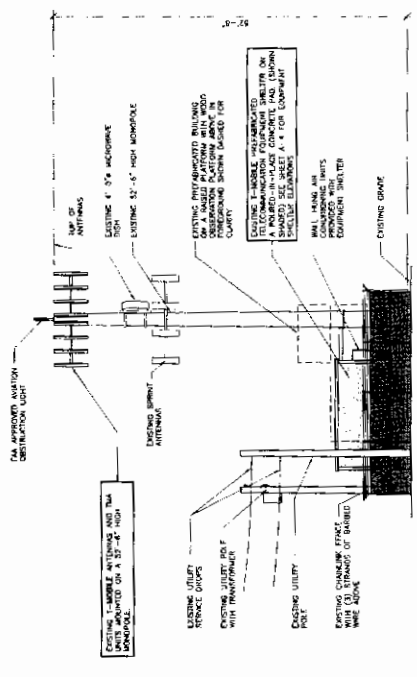
SHEET TITLE

EXTERIOR ELEVATIONS

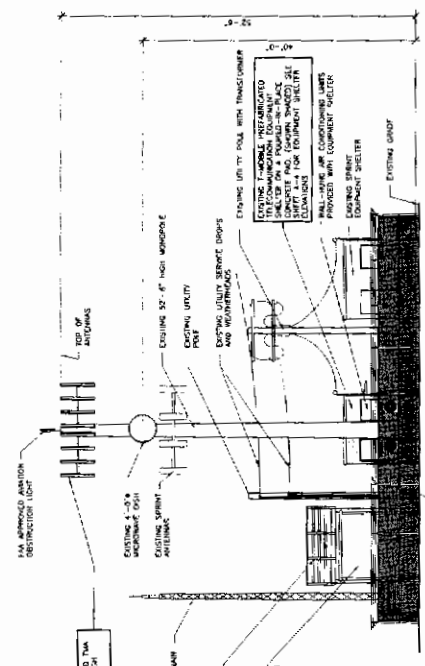
PROJECT: T-MOBILE/VERIZON/AT&T



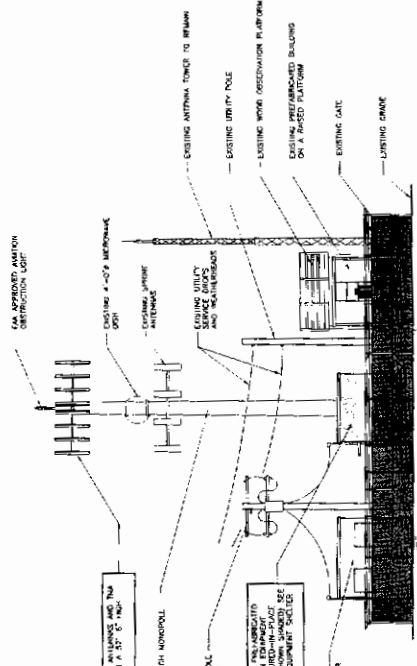
WEST ELEVATION
 WALL VIEW OF



EAST ELEVATION
 WALL VIEW OF



NORTH ELEVATION
 WALL VIEW OF



SOUTH ELEVATION
 WALL VIEW OF

NOTE:
 CONTRACTOR AND TOWER MANUFACTURER ARE TO VERIFY ALL DIMENSIONS AND SPACES REQUIRED FOR EXISTING WORK.

EXHIBIT NO. 3
APPLICATION NO.
6-10-089
Elevations

T-Mobile SD06658 Camp Del Mar



View looking northwest

T-Mobile SD06658 Camp Del Mar



View looking north

T-Mobile SD06658 Camp Del Mar



T-Mobile antennas

T-Mobile shelter