

CALIFORNIA COASTAL COMMISSION

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Staff: EL-SD
Staff Report: April 16, 1997
Hearing Date: May 13-16, 1997



REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

W/06

Application No.: 6-97-30

Applicant: ESPN X Games/Event Specialist Inc. Agent: Jack Wienert

Description: Construction of temporary improvements for the X Games, a series of sporting competitions to be held June 19-28, 1997, including a climbing wall, snowboard ramp, obstacle course, waterski ramp, bleachers, television compound, camera staging facilities, concession stands, portable toilets, trash receptacles and perimeter security fencing. The event also includes use of two public parking lots (approx. 235 public parking spaces), provision of a shuttle bus system, on- and off-site directional signage and mitigation measures addressing an adjacent least tern nesting site and eelgrass impacts. Setup will begin June 2, 1997 and takedown will be completed by July 1, 1997. Off-site parking will occur in the South Shores, Sunrunner and Marina Village parking lots and in the informal dirt lot south of Quivira Road. No admission fee is proposed.

Site: Mariner's Point, south of West Mission Bay Drive, Mission Bay Park, San Diego, San Diego County.

Substantive File Documents: City of San Diego Special Event Permit Application
Event Schedule, dated April 7, 1997
Site Plan, dated March 24, 1997
Shuttle Plan, dated April 2, 1997
Traffic Plan, submitted April 15, 1997
Letter/Special Conditions from US Fish & Wildlife,
dated April 15, 1997

STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

Staff recommends approval of the temporary improvements, with several special conditions addressing protection of the adjacent least tern nesting site and eelgrass resources, and a special condition requiring a final parking and shuttle program to address traffic impacts and impacts on public recreational use of the general western Mission Bay Park/Mission Beach area. Special conditions addressing the timing of the event and submittal of copies of the City's approval are also included.

PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, 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 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Mitigation for Impacts to Eelgrass. Prior to issuance of the subject permit and by May 26, 1997, the applicant shall submit, for review and written approval of the Executive Director, an eelgrass mitigation plan. The plan shall include the following components:

- a) The applicant shall inventory and map existing eelgrass beds within the area delineated for boating activities (traffic) on the conceptual site plan dated 3/24/97, and shall indicate on that map all areas of potential eelgrass disturbance.
- b) The applicant shall implement the following measures to avoid impacts to eelgrass to the maximum extent feasible:
 - 1) The start dock shall be placed in deep enough water to avoid impacting eelgrass and shall be kept in place by anchors, not pilings;
 - 2) Access to the start dock for skiers shall be via a temporary structure located in an area devoid of eelgrass. If an area devoid of eelgrass cannot be found, access to the dock structure shall be via watercraft with a shallow draft, having no motor, and propelled by ropes, pulleys, paddles or oars. The location of the start dock and skier access corridor shall be designated on the eelgrass survey map required above;
 - 3) In-water events shall be scheduled for high tide periods to the maximum extent possible to provide additional depth in the water column between the activity and eelgrass beds;

c) The applicant shall prepare and submit a plan for the re-establishment or transplanting of any disturbed eelgrass to maintain the population at the pre-project level should impacts to eelgrass occur. The eel grass mitigation plan shall be submitted to, reviewed and approved in writing by the Executive Director, in consultation with the California Department of Fish and Game, the US Fish & Wildlife Service, the National Marine Fisheries Service and the City of San Diego, and shall include:

- 1) Designation of specific mitigation sites; and
- 2) A written commitment by the applicant to be responsible for the planting, maintenance, and monitoring of the restoration efforts in accordance with the Mission Bay Park Natural Resource Management Plan.

The permittee shall undertake the development in accordance with the approved eelgrass mitigation plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No change to the plan shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is required.

2. Least Tern Nesting Site. Prior to issuance of the coastal development permit and by May 26, 1997, the applicant shall submit to the Executive Director for review and approval in writing a final plan for the mitigation of potential impacts to least terns. The plan shall include written acknowledgement and acceptance of the responsibility to implement the following specific provisions:

- a) Predator bird deterrents will be installed on all structures, equipment and apparatus of sufficient height and proximity to provide a line of sight into the least tern nesting site to the extent required by the US Fish & Wildlife Service (Service) and California Department of Fish & Game (CDF&G);
- b) Security guards, tern monitors, animal damage control personnel and additional signage will be posted at or adjacent to the least tern nesting site consistent with the times and locations recommended in the Service's April 15, 1997 letter (Exhibit #3) and subject to a pre-event contract. Signage shall not project above the height of the tern site itself;
- c) Light and noise levels will be regulated to the extent required by the Service's April 15, 1997 letter (Exhibit #3);
- d) Water event practice runs will take place at a location other than Bonita Cove. The practice runs will be shown on a map and appropriate modifications to the traffic and shuttle plans shall be made to accommodate the alternative location;
- e) Trash will be collected and disposed of in on-site dumpsters, and hauled away from the site to the extent required by the Service's April 15, 1997 letter, at a minimum (Exhibit #3);
- f) No helicopters will be granted permission to land, hover, or fly over Mariner's Point during the X Games;

g) Fireworks will not be used at any time during the X Games at Mariner's Point; and

h) The applicant will comply with all other provisions of the April 15, 1997 letter from USF&WS (Exhibit #3).

Prior to issuance of the coastal development permit, the applicant shall submit to the Executive Director copies of its executed contracts with security guards, tern monitors and USDA Animal Damage Control staff, as required in the Service's April 15, 1997 letter (Exhibit #3). These shall be reviewed and accepted in writing by the Executive Director and retained in the file. The contract with tern monitors shall include a component to observe tern reactions to nearby events (noise, crowds, equipment, etc.) and provide a written report within thirty (30) days after the X Games summarizing said observed responses.

The permittee shall undertake the development in accordance with the approved least tern mitigation plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No change to the plan shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is required.

3. Final Parking/Shuttle Program. Prior to issuance of the coastal development permit and by May 26, 1997, the applicant shall submit to the Executive Director for review and written approval, a final parking/shuttle program developed in substantial conformance with the draft Shuttle/Parking/Traffic Plan as of 4/2/97. The approved parking/shuttle program shall be implemented by the applicant and shall include the following components:

a) A final site plan of the two easternmost parking lots on Mariner's Point, that clearly delineates the VIP parking area, the location and number of spaces reserved for shuttle buses, the shuttle drop-off/pick-up point and the location and number of parking spaces usurped by the ESPN compound. The plan shall maximize to the extent possible the number of parking spaces in the western lot (Parking Lot #2) remaining available for general public use;

b) A final schedule listing the dates and times when public parking will be restricted in these two lots. The restricted hours shall represent the minimum required to facilitate the proposed events.

c) A final shuttle schedule including the number of shuttle buses to be employed, the hours the shuttle program will be in operation, and the frequency of shuttle buses;

d) A site plan/area map delineating the locations and number of parking spaces for all off-site parking areas and the proposed shuttle bus route;

e) A publicity campaign for the shuttle program, including the use of radio, television, newspapers, etc. and signage to advertise the off-site parking venues and shuttle program. Said campaign shall be in substantial conformance with the conceptual signage/publicity program submitted to the

Commission on April 8, 1997, including placement of signs at all locations delineated therein; and

f) Provisions for evaluating the effectiveness of the shuttle plan. The provision must document the adequacy of off-site parking by identifying the percentage of lots, or number of spaces, occupied during the time of highest attendance each day, the condition of traffic flow along West Mission Bay Drive during weekend events (i.e., free-flowing, slow but moving, congested, gridlock, etc.) and the effectiveness of signage, traffic officers, parking lot amenities etc., based on the applicant's observations and feedback from the public and City of San Diego. Following the event, the monitoring program shall be summarized in a written report which shall be submitted to the Executive Director on or before July 31, 1997. The report should identify any problems that occurred and make recommendations for improvements in the future. The report shall be retained in the file and used in the review of future permit applications for the X Games or similar events.

The permittee shall undertake the development in accordance with the approved parking/shuttle program. Any significant changes to the approved plan should be reported to the Executive Director. No change to the plan shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is required. The Commission recognizes that adjustments to the shuttle schedule and route may be required during actual events based on unforeseen circumstances.

4. Set-Up/Take-Down Dates. No construction of structures, placement of equipment or restrictions on public use of any portion of Mariner's Point may commence prior to June 2, 1997. In addition, all temporary improvements must be removed from the site, and the site restored to pre-existing conditions, no later than July 1, 1997. The construction and dismantling schedule shall be in substantial conformance with the schedule dated April 4, 1997 and shall minimize impacts to general public use of Mariner's Point and the parking lots to the extent possible.

5. City Permit. Prior to issuance of the coastal development permit, the applicant shall submit evidence that the City of San Diego is prepared to issue a permit for the proposed special event, pending the issuance of the coastal development permit. Upon receipt of the permit from the City, and prior to June 2, 1997, the applicant shall submit a copy of the approved City of San Diego permit for the file. If conditions of the City's permit directly conflict with the subject coastal development permit, an amendment to this permit or the City's permit may be required.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. The applicant is proposing to stage a series of sporting competitions known as the X Games at Mariner's Point in Mission Bay Park. The games will be held from June 19 to June 28, 1997 and

includes two summer weekends to stage the events. Setup will begin on June 2, 1997 and takedown will be complete by July 1, 1997. The overall event will require exclusive use of grass, dirt, water and sand areas, as well as all of one public parking lot and a portion of another. In addition, security fencing will enclose several existing picnic tables, although most of the picnic area will remain open to the general public. The event will be free to the public, but perimeter fencing will be required to secure the temporary improvements and television equipment. Because the proposed development takes places for more than two weeks continuously, affects coastal access routes and utilizes public parking lots, the development does not qualify for an exemption under the Commission's adopted "Guidelines for the Exclusion of Temporary Events from Coastal Development Permit Requirements."

The various sporting events include climbing, snowboarding, barefoot water-skiing, wakeboarding, and several bicycle and skating competitions. The applicant proposes temporary improvements to facilitate these events, including construction of an approximately 75-foot-high climbing wall and a 100-foot-high snowboard ramp, and temporary installation of a maximum 100-foot-high crane for a cable cam. Other proposed facilities include bleachers, a dirt jump, a street course, a dock and jump for water-skiing, several Jumbotrons (big-screen TVs), other camera facilities, concession stands and office and storage trailers. None of these other amenities will exceed thirty feet in height.

The proposal also includes traffic and parking programs to handle the expected crowds of up to 10,000 people for some final events. Off-site parking at several other Mission Bay Park locations, combined with a shuttle bus service, are proposed to address this issue and prevent event participants, workers and spectators from interfering with general public access to nearby bay and ocean beaches and recreational amenities. In addition, the proposal includes some avoidance and mitigation techniques to address eelgrass resources in Bonita Cove (the site of the water events) and the adjacent least tern nesting site at the tip of Mariner's Point. These items will be discussed in greater detail in the following findings.

2. Marine Resources/Eelgrass. Sections 30230 and 30231 of the Coastal Act address the maintenance and restoration of marine resources, which include eelgrass beds. Also, Section 30240 addresses development in and adjacent to environmentally sensitive habitats. Under these various policies, adverse impacts to biological resources must be avoided to the extent feasible. If such impacts are unavoidable, they must be mitigated.

Eelgrass is prevalent throughout much of the shallower area of Mission Bay, including within portions of Bonita Cove where the two water events (barefoot waterskiing and wakeboarding) are proposed. The resource is most abundant between elevations -1 and -6, with only sporadic vegetation at elevations lower than -10. Adverse impacts to eelgrass will be avoided to the extent possible by locating the floating dock in deep water where eelgrass is unlikely and by charting a skier access corridor to the dock through an area devoid of eelgrass. However, it is possible, since the proposed water use area has not been surveyed recently, that no corridor of adequate width

completely devoid of eelgrass exists. Moreover, boats may inadvertently deviate from the designated corridor. However, according to a conversation with a representative from the National Marine Fisheries Service (NMFS), potential impacts will probably be comparable to those occurring through normal summertime public recreational use of the area. The applicant has proposed to survey the site before the event and mitigate any documented impacts, as determined in negotiations with the City of San Diego.

As compared to other wetland habitats (salt marsh and riparian for example), eelgrass is less difficult to replace and return to pre-existing levels of density and aerial extent. In general, eelgrass has been very successful throughout Mission Bay. The City of San Diego has suggested several conditions to reduce and/or eliminate adverse impacts to eelgrass; it is these general parameters that the applicant has agreed with to date. However, the Service has recommended some changes to these conditions, as described in a letter attached as Exhibit #3. These recommendations are reiterated in Special Condition #1, attached hereto. As conditioned, the applicant is required to comply with the stated avoidance techniques and to conduct pre- and post-activity surveys to determine any adverse impacts. The condition insures that if adverse impacts to eelgrass are documented, they will be mitigated consistent with the Mission Bay Natural Resources Management Plan, which is part of the certified Mission Bay Park Master Plan. As conditioned, the Commission finds the proposal consistent with the cited resource provisions of the Coastal Act.

3. Biological Resources/Least Tern Nesting Site. Section 30240 provides for the protection of environmentally sensitive habitat areas; part (b) specifically states:

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

A designated least tern nesting site is located just south of the proposed Mariner's Point X Games venue, at the tip of the point itself. The California least tern is an endangered species, listed with both the state and the federal government. The US Fish & Wildlife Service (Service) and California Department of Fish & Game (CDF&G) are the agencies principally charged with protection of endangered species in California, and the Commission looks to these agencies for guidance and direction when a development could potentially adversely impact a listed species.

The least tern nesting season runs from early April to September, and Mariner's Point has become one of the three most successful nesting sites in San Diego County. In this particular instance, there are serious concerns that the X Games could have adverse impacts on the least tern, since the games are proposed during the nesting season. Proposed competitive events will be held the last two weeks of June, but site improvements will be under construction and/or in place from the first week of June until July 1. The greatest fear is that the various proposed structures (bleachers and camera

mounts in particular, since these are the structures closest to the nesting site at a distance of 400-500 feet) will become predator perches. Any structure that provides a line of sight into the nesting area could potentially be used for this purpose, and predation on tern chicks is a significant threat to the species survival. In addition, noise from the proposed boating activities is anticipated to interfere to some degree with the tern's foraging habits, since the birds generally forage throughout daylight hours. Also, since the terns are fishers, turbidity caused by the boats could affect the terns ability to see the fish. Finally, lights and noise generated by the competitions and the crowds of spectators could also adversely affect the least tern.

The Service has stated, in a letter dated April 15, 1997 and attached as Exhibit #3, that its preference would be for the games to be held at either an alternative venue or at a different time of year. More timely consultation by the applicant with the wildlife agencies could have resulted in better planning, and the current situation could have been avoided. Because of the nature of the event, and the limited time available to make such adjustments, there now appear to be only two possible options. One option would be to deny the X Games altogether, either directly through the Coastal Commission's denial of the subject permit application, or indirectly by the Service invoking a Section 7 consultation under the Endangered Species Act, which, due to the timing involved, would result in cancellation of the games. The second option is to condition the permit in such a manner that all potential impacts are addressed, and either eliminated altogether or significantly reduced through various techniques. The USF&WS has suggested the appropriate mitigation measures which would allow the games to go forward.

To that end, the Service has recommended thirteen conditions, which are described in their April 15th letter. The Service's conditions reiterate, and expand upon, the conditions suggested by the City of San Diego and those already incorporated into the proposal by the applicant. The Service's letter, and specifically the thirteen conditions, is incorporated into this permit by reference, but the Commission has also included a specific condition addressing those aspects of the Service's recommendations most pertinent to Coastal Act policy and thus appropriately monitored/administered by this agency. Special Condition #2 requires installation of bird deterrents on all structures with a line of sight to the least tern nesting area; collection of trash regularly to avoid attracting seagulls and small mammals, which are known to prey on tern eggs and chicks; hiring of appropriate security and monitoring personnel and posting signs to secure the least tern site; regulation of light and noise to avoid disturbance to the nesting birds; utilization of an alternate venue for practice runs of the water events, with only two days of final competition being held at Bonita Cove; and prohibition of the use of helicopters and fireworks at the Mariner's Point venue.

The condition also requires submittal of copies of the applicant's executed contracts with security personnel, tern monitors and USDA Animal Damage Control personnel, to document that these services have been secured consistent with the terms of the Service's conditions. The actual training, deployment and overseeing of these workers is rightly within the direct purview of the wildlife agencies.

In summary, because of the nature of the sporting activities as originally proposed, it is possible that some adverse, though indirect, impacts to the adjacent least tern nesting site could occur. Given better advance notice, a more appropriate venue or timing could likely have been arranged to remove any cause for concern over the endangered California least tern. However, in light of current circumstances, the US Fish & Wildlife Service has devised a set of conditions designed to eliminate or significantly reduce any adverse impacts from the X Games. The Service believes these conditions to be the minimum mitigation necessary to avoid invoking a Section 7 consultation under the Endangered Species Act. Therefore, only with the inclusion of the attached special conditions can the Coastal Commission find the proposed development consistent with Section 30240 of the Act.

4. Public Access and Recreation. The proposed special event, to be held in Mission Bay Park during the summer season, has a potential to significantly affect public access to the nearby public beach and park amenities. The following Coastal Act policies are most applicable and state, in part:

Section 30210

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30220

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Section 30252

The location and amount of new development should maintain and enhance public access to the coast by ... (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation

Mission Bay Park is a premier aquatic park, and provides numerous recreational opportunities for the public, including national and international visitors. However, Mariner's Point itself is not an area of high public use, although it does have some grass, many picnic tables and a tot lot. Most of the Point, outside of the least tern preserve addressed in the previous finding, is undeveloped dirt area, used intermittently for various special events and to some degree by the general public. During the games, temporary structures will occupy existing grass, dirt and sandy beach areas and security fencing will enclose several picnic tables. In addition, the event itself will usurp one entire public parking lot (Parking Lot #1 in proposal - 200 parking spaces) to use for VIP parking, bus storage and the shuttle pick-up/drop-off point. A portion of a second parking lot will be usurped for the ESPN television compound (Parking Lot #2 in proposal - TV compound will use approximately 30-35 spaces out of 400). These two parking lots are located on the south side of West Mission Bay Drive, at the entrance to Mariner's Point. Parking Lot #1 will be unavailable to the public from June 20th through the 28th and the identified portion of Parking Lot #2 will be unavailable from June 11th through July 1st; the remainder of Parking Lot #2 will remain open to the public throughout the event.

The two parking lots described above primarily serve the Bonita Cove area, which is located to the immediate west of Mariner's Point. This is a very popular swimming and picnic locale with large areas of grass and plentiful sandy beach. Moreover, ocean access is only approximately two blocks away in the Mission Beach community. The oceanfront recreational facilities include a public boardwalk, many beach equipment rental outlets, numerous food services and shops, and amusement park attractions at Belmont Park, including an historic roller coaster. More public beach and picnic areas are found on the north side of West Mission Bay Drive at Ventura Cove along with the Bahia Hotel resort complex. There are several public parking lots in the area, in addition to the two being affected by the X Games, to serve these amenities. All of the described facilities within this area of Mission Bay Park (parks, beaches, parking lots, etc.) are in comfortable walking distance from each other.

During the summer, the area parking lots tend to fill up fairly rapidly, especially on weekends. On holiday weekends, the lots are generally completely full by mid-morning and the West Mission Bay Drive/Mission Boulevard intersection (approximately two blocks west of Mariner's Point) is often at gridlock. The proposed X Games will take place the last two weeks of June, and will include sporting events on two weekends. The games are expected to draw crowds of up to ten thousand spectators for some of the event finals. These spectators, along with event workers and participants, could be in direct competition with beach users for the limited amount of public parking available, and could contribute significantly to traffic problems on the adjacent streets.

To address this issue, the applicant is proposing the use of off-site parking facilities at a number of other Mission Bay Park locations, and a shuttle bus system to transport X Games staff, participants and spectators, and the general public (those who simply want to go to Mission beach, Bonita Cove,

Ventura Cove, etc.), to and from the Mariner's Point venue and adjacent recreational amenities. The off-site parking lots for event spectators will be at South Shores (approximately 3,000 parking spaces) and the Sunrunner lot at Sea World Drive and Friars Road (approximately 1,000 parking spaces); it is anticipated that spectators will arrive at three per vehicle on average. These off-site lots will be equipped with security personnel, restrooms and lighting. Athletes will be parked in 100 reserved spaces at Marina Village and shuttled to the games. Staff will use the 900-space dirt lot on the south side of Quivira Road, unless there is a conflict with a Hospitality Point concert, in which case staff will park at South Shores. From either location, X Games staff will be shuttled back and forth to Mariner's Point.

The shuttle plan will be extensively advertised in various media forms, and a signage program is included in the applicant's program. Signage and advertising will stress that there is no X Games parking available at Mariner's Point, and all persons must use an off-site parking lot or alternative public transportation, such as buses, trolleys or taxis. The signs will be placed on the freeways to direct people to appropriate exits for the shuttle lots and in the Pacific Beach community to discourage spectators from heading south on Mission Boulevard into Mission Beach and warning others of potential traffic problems in the area in time to choose alternate routes avoiding X Games and beach traffic. There will also be numerous personnel directing traffic in the area of Mariner's Point, since the shuttle buses and taxis will be coming and going from the site.

The applicant's shuttle and traffic plans appear to be well thought out and workable. The applicant is working with the City of San Diego and a private consultant, both of which have significant experience addressing traffic and parking concerns associated with special events. Therefore, the Commission finds the proposed program acceptable. Special Condition #3 is attached to formalize the applicant's parking and traffic control plans. In addition to calling out specific program components, the condition also requires monitoring during the event and a follow-up report summarizing the effectiveness of the plans. This report will greatly assist the Commission in reviewing any future proposals for this or similar events. A certain degree of flexibility is required in the plan, to allow for on-the-ground adjustments due to unforeseen circumstances.

As conditioned, the Commission finds the proposal consistent with the cited sections of the Coastal Act, and, as required for all projects located between the sea and first coastal roadway, consistent with all other public access and recreation policies as well. Furthermore, it must be noted that the proposed X Games will itself provide a public recreational experience. Although this is not a coastal-dependent recreational use (even the water sports could be conducted at inland locations), it is likely to attract many of the same people who would otherwise be going to nearby beaches. In addition, attendance at the X Games may introduce residents and visitors to areas of Mission Bay Park with which they were not previously familiar. There will be no admission charge to spectators, and free parking and shuttle facilities will also be provided as previously discussed.

5. Visual Resources. Section 30251 of the Coastal Act provides for the protection of scenic coastal areas and for the compatibility of new and existing development. The subject site is located in the western part of Mission Bay Park, and is visible from the Hyatt Islandia Hotel, Hospitality Point, Mission Point Park and portions of the Mission Beach residential community. At least some of the proposed improvements will also be visible from West Mission Bay Drive, a major coastal access route. Additionally, the site itself is a recreational resource and destination point, although less highly used than many other areas of Mission Bay Park.

The City of San Diego has a height restriction of thirty feet for coastal areas, based on a public initiative in 1974. Most of the proposed structures will meet that limitation, including the bleachers, vendor booths, office trailers and most of the sports competition facilities. However, the climbing wall will be 75 feet high, and the snowboard ramp 100 feet high. In addition, some of the camera equipment will exceed thirty feet, namely the Jumbotrons (when in use) and a pole/crane for the sky cam, which will be a maximum of 100 feet high. When the Jumbotrons are not in use, they will be lowered to below thirty feet.

These facilities are necessary in order to conduct and televise the proposed competitions; however, they are all temporary improvements, and will be on the site less than one month. Construction of the climbing wall will begin on June 2nd, but for the snowboard ramp construction does not begin until June 20th. The camera equipment will arrive approximately June 11th. All temporary improvements will be removed from Mariner's Point on or before July 1, 1997. Special Condition #4 establishes the earliest and latest dates that any temporary X Games improvements may be located on Mariner's Point.

The Commission could not find the structural improvements consistent with Section 30251 of the Coastal Act or the City's LCP, which incorporates the coastal height limit, as permanent structures. However, since they are of short duration, and associated with a major special event which will provide a low-cost (free) public recreational opportunity, the Commission finds that any temporary visual impacts will not have a significant detrimental effect on the scenic resources of Mission Bay Park. Thus, the Commission finds the proposed development, as conditioned to address other Coastal Act concerns, consistent with the intent of Section 30251 of the Act.

6. 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. Only as conditioned can such a finding be made for the proposed project.

The proposed improvements are located on existing public parklands which are designated in the certified Mission Bay Park Master Plan as parkland (the grass area) and open beach (the dirt and sand areas). The Master Plan does not designate any particular areas of the park for special events, but most special events in Mission Bay occur either on Fiesta Island or Mariner's

Point. A special events permit is required from the City, and is currently in process. Special Condition #5 requires the applicant to submit a copy of that permit, which is typically issued after the coastal development permit, for the file. The condition also advises the applicant that any direct conflicts between the two permits may need to be resolved through amendments to one permit or the other.

The Commission recently certified a land use plan (the Mission Bay Park Master Plan) for Mission Bay. There are no implementing ordinances in place as yet. Thus the entire park remains an area of deferred certification, and Chapter 3 of the Coastal Act remains the standard of review. Even after an implementation package is certified, much of the park will remain under direct Commission permit jurisdiction, since many areas of the park were built on filled tidelands. The proposed development raised a number of concerns under Chapter 3 policies; these have been resolved through special conditions and addressed in previous findings. Moreover, although several of the proposed improvements would be inconsistent with the environmental policies and design parameters of the certified Master Plan, as temporary structures only they can be found acceptable for a short period of time. Therefore, the Commission finds that approval of the proposed temporary improvements, as conditioned herein, will not prejudice the ability of the City to develop a certifiable implementation program for Mission Bay Park or to continue implementation of its fully-certified LCP for the remainder of the City's coastal zone.

6. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of coastal development permits 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)(i) 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 impact which the activity may have on the environment.

As discussed herein, the proposed project has the potential to cause significant adverse impacts to the environment. Specifically, the project has raised concerns over biological resources, public access, traffic circulation and visual resources. However, with the inclusion of special conditions and as a short-term temporary event, the project has been found consistent with all applicable policies of the Coastal Act. There are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the activity might have on the environment. Therefore, the Commission finds that the proposed project, with the inclusion of all special conditions, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. 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. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. 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.
7. 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.

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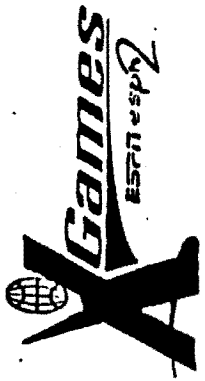
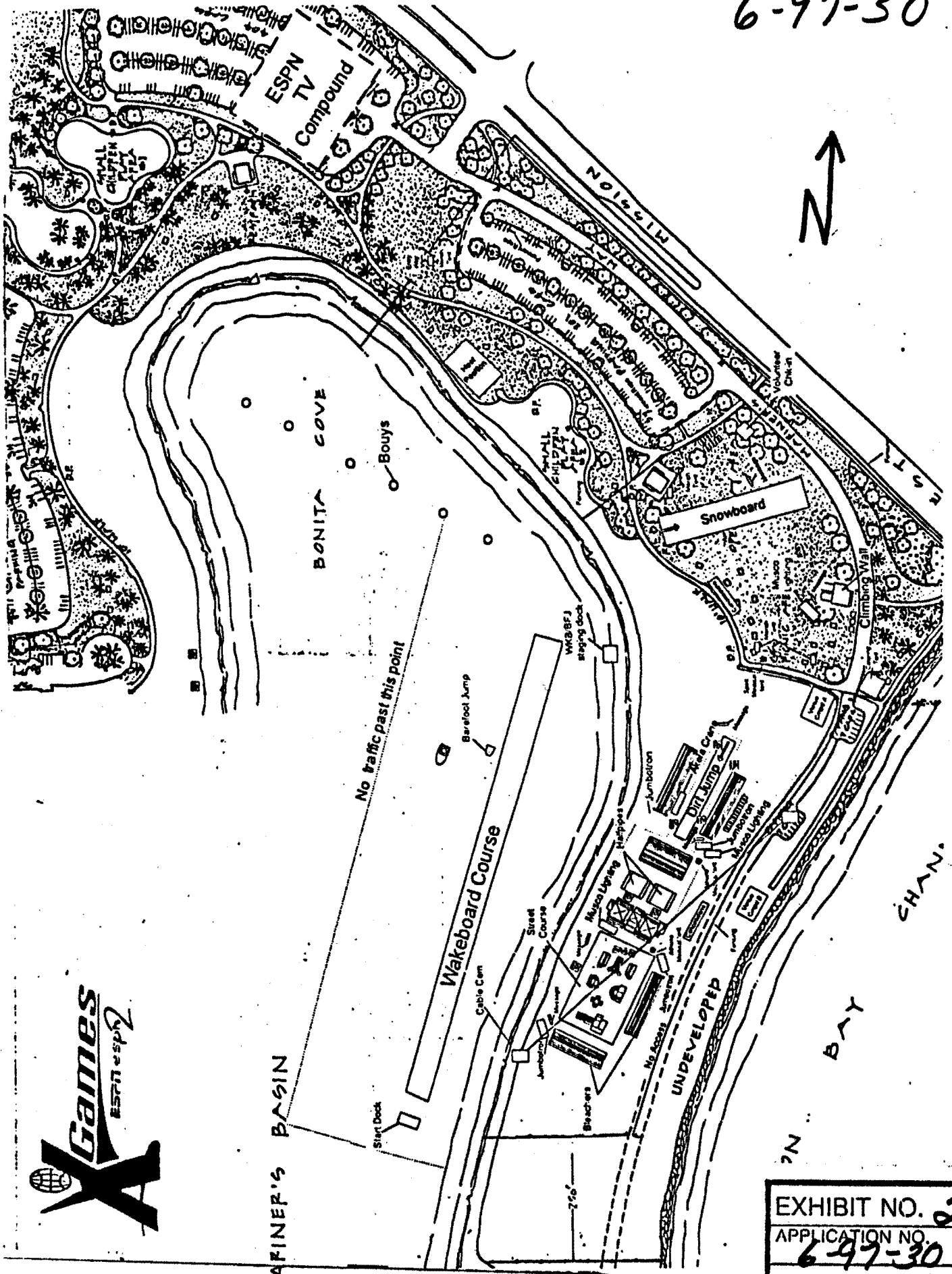
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EXHIBIT NO. 1
APPLICATION NO. 6-97-30
<i>Location Map</i>
California Coastal Commission

6-97-30



MARINER'S BASIN

No traffic past this point

Wakeboard Course

UNDEVELOPPED

BAY

CHAN.

EXHIBIT NO. 2
APPLICATION NO. 6-97-30
Site Plan
California Coastal Commission



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Field Office
2730 Loker Avenue West
Carlsbad, California 92008

April 15, 1997

California Coastal Commission
3111 Camino Del Rio North
Suite #200
San Diego, CA 92108

Attn: Ms. Ellen Lierly

Re: ESPN Extreme Games at Mariner's Point, San Diego, California.

Dear: Ms. Lierly:

The Fish and Wildlife Service (Service) has reviewed the Memo to the Distribution List, dated April 3, 1997, regarding the Summer Extreme Games (X-Games), proposed to be held at Mariner's Point during June, 1997. Attached to the memo was a list of permit conditions prepared by the City of San Diego (City) related to potential impacts of the X-Games on sensitive biological resources in Mission Bay Park, including eelgrass habitat and the federal and state listed endangered California least tern (*Sterna antillarum browni*) (least tern). The Service's involvement with the referenced project and our comments on the City's proposed permit conditions are presented below.

The Service is disappointed that the X-Games project was not formally discussed with the Service until an on-site meeting at Mariner's Point on April 3, 1997. It is the understanding of the Service that the X-Games presented their plans for the project to the City in approximately November of 1996. This letter represents the Service's first opportunity to comment on the referenced project. The Service is extremely concerned about the potential impacts the X-Games may have on the least terns that nest at Mariner's Point. Section 9 of the Endangered Species Act of 1973, as amended (Act), prohibits the "take" (harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct) of listed species of fish and wildlife without special exemption. Harm is further defined to include significant habitat modifications or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns such as breeding, feeding, or sheltering. Harass is defined as actions that create the likelihood of injury to listed species to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding, or sheltering. Incidental take is any take of listed animal species that results from, but is not the purpose of, carrying out an otherwise lawful activity. An Incidental Take Statement may be prepared for a Federal agency as an exemption to section 9 of the Act through formal

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APR 16 1997

CALIFORNIA
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SAN DIEGO COAST DISTRICT

6-97-30
Exhibit #3

consultation, pursuant to section 7 of the Act. For non-Federal entities, an Incidental Take Permit may be prepared pursuant to section 10 of the Act.

Least terns are social and colonial seabirds that nest in southern California and then migrate to central and south America where they spend the winter. The earliest arriving least terns usually are seen during the second week of April in San Diego County. Courtship begins in early May with ritualized "fish chases". Egg laying commences in mid-May and eggs are incubated into early June. Chicks are present at the colony from mid-June through the end of July. During mid-June, the "second wave", or late arriving least terns or terns that lost their first nest begin to re-nest. Fledglings can be found from early July through mid-August. Most least terns leave southern California by the end of August.

Our concerns regarding activities adjacent to this nesting colony stem from the importance of this site to the least tern. Least terns first nested at Mariner's Point in 1989 when their were two unsuccessful nesting attempts. Up to this time the City had considered the Mariner's Point site as "temporary", not subject to permanent protection measures. Following the two nesting attempts in 1989, the City changed the designation of the Mariner's Point site to be "permanent historical". This designation allowed for the permanent preservation of Mariner's Point as a least tern nesting site in the Mission Bay Master Plan. The following year (1990), the nesting site increased to 19 pair which produced 33 to 40 fledglings. Since then, the colony has increased to 220 nesting attempts in 1995 and 250 nesting attempts in 1996. This represents 8.5 per cent and 8.3 per cent of the total least tern population in the State of California respectively.

Due to the likelihood of disturbance, interference, and/or destruction of essential breeding and foraging habitat of the least tern by this concentrated human activity, the Service would have recommended that the X-Games be relocated to a less sensitive area of Mission Bay Park or conducted outside the nesting season of the least tern. However, given the lateness of our involvement in the project schedule, it appears to the Service that these two options may be unavailable at this time. The Service recommends moving the location to another area of Mission Bay Park approved for recreational activities such as South Shores Park, or moving to a later date in the summer if the City intends to allow ESPN to hold this event on an annual basis.

The Service recommends that the California Coastal Commission (Commission) issue a permit only if the following conditions can be incorporated. If the project applicant is unwilling to comply with these conditions, the Service recommends that the Commission not issue a permit for the proposed activity. These conditions are in addition to, or reflect a revision to those in the City's April 3, 1997, memo and are as follows:

Eelgrass Habitat

- 1) A qualified biologist shall conduct an underwater survey of the eelgrass beds in the project area within 30 days prior to the event construction and again within 30 days of structure removal. A report shall be issued by the biologist to the City documenting any

direct or indirect loss of eelgrass habitat. If an impact is determined to have occurred, mitigation will be required in accordance with the Mission Bay Park Natural Resource Management Plan and in consultation with the City. The mitigation plan shall be approved by the Service, National Marine Fisheries Service, and California Department of Fish and Game (CDFG) and contain a description of how and when such mitigation shall be implemented.

- 2) Skier access to the start dock shall be via a temporary structure located in an area devoid of eelgrass. If an area devoid of eelgrass can not be found, access to the dock structure shall be via watercraft with a shallow draft, having no motor, and propelled by a series of ropes, pulleys, paddles, or oars.
- 3) In-water events shall be scheduled for high tide period to the maximum extent possible to provide additional depth in the water column which can act as a "buffer" area between the activity and eelgrass beds.

While we recognize that ESPN has made an attempt to minimize potential impacts to eelgrass, the ability to take advantage of the highest tide conditions during X-Games events may prove infeasible. The Service would like to point out that X-Game staff confirmed at the April 3, 1997, meeting that the high tide period would be utilized for water activities. After checking tide tables, the Service has concluded that the highest high tides in the Mission Bay area will take place at night between the hours of 8:30 p.m. and 2:00 a.m. on June 19 through June 26, and late in the afternoon on June 27 and 28. It would appear that the timing of these high tides do not correspond with the programs schedule of X-Game events.

California Least Tern Nesting Site

non-toxic lubricant

- 1) Predator bird deterrents, such as bird spikes or propellers, shall be installed on the bleachers at the street course site and on any other X-Game structure(s) that are in direct line-of-sight of the least tern nesting area at Mariner's Point. If a propeller is used for the bleachers, the propeller may be removed during the time of actual bleacher use, but shall be replaced as soon as public use is over and shall not be removed again until public use of bleachers resumes. The 60-100 foot cable-cam pole shall be outfitted with a bird deterrent propeller at the top. Guy wires supporting the pole shall have bird deterrent flags placed on the entire length of the wire. The cable-cam wires shall be lowered to the ground daily at the conclusion of the last event of each day, as agreed upon at the April 3, 1997, meeting in the field.
- 2) An on site meeting shall take place at least two days prior to the onset of main game events and be attended by the Service, CDFG, X-Game staff, and City. The purpose of this meeting will be to review which structures have been constructed which are an actual predator line-of-site threat to the least tern nesting site. If in the opinion of the Service, particular structure(s) may effect the least tern, the City and the X-Game's staff shall

closely coordinate with the Service in relocating the structure(s) or employing additional predator deterrents. The meeting shall also address lighting that would be utilized in association with the X-Games. To address this issue, the City and X-Game staff shall meet with the Service staff after sunset to evaluate light conditions at the least tern nesting site to ensure compliance with Special condition number 7 below.

- 3) A security guard shall be present at the tern site on a 24 hour basis from the beginning of site construction activities through the last day of post-event take down. The duties of the security guard shall include but not be limited to restricting public access to the least tern nesting site, riprap area surrounding Mariner's Point, and 450 foot buffer zone between the X-Games and the least tern nesting area. Security guards shall have the authority to instruct intruders to leave the area and have the ability to communicate with harbor police and life guards when removing intruders. The City's Park and Recreation Natural Resources Manager will hold a pre-event introduction meeting with the security guards to familiarize them with the importance of their protective presence, the biological sensitivity of the least tern site, and to prepare an action plan establishing coordination between the security guards and police should the need for police intervention arise. Security guards shall not be permitted inside the least tern chain link fence. Harbor police and City life guards shall make regular patrols of the waters surrounding Mariner's Point.
- 4) Additional signs shall be placed by the City or X-Games on the riprap area and between the chain link fence and sand berm which warn intruders of the sensitive nature of Mariner's Point. At a minimum these signs will include "Keep Out" and "Least Tern Nesting Area".
- 5) An experienced tern monitor will be present in or near the nesting area between the hours of 7:00 a.m. and 9:00 p.m. from the beginning of the events on Thursday, June 19, 1997, through the completion of the events on Sunday, June 28, 1997. The tern monitor shall be contracted by the X-Games in a pre-event agreement.
- 6) Additional animal damage control specialists, funded by the X-Games shall be contracted in a pre-event agreement and ready to respond to unexpected predation in excess of that which USDA Animal Damage Control staff would not be normally able to control. The Service, in primary consultation with CDFG, and secondary consultation with City staff shall inform X-Game officials when additional specialists are needed.
- 7) Lighting installed for the X-Games events at Mariner's Point shall be directed away and be shielded from the least tern site. Light measurements shall be taken with an optical instrument to determine the ambient level of light at Mariner's Point in its pre-setup condition. Light conditions during the events shall be monitored and shall not exceed those levels present during the pre-setup measurements. If it is determined that ambient levels are exceeded, additional shielding or muting of "problem" lights shall occur. Use

of strobe or pulsating lights at night shall be prohibited.

- 8) Ski boat motors shall be enclosed or muffled to a noise level below 60 decibels (db), as measured from the least tern nesting site. Ski boat drivers shall be directed to steer their boats away from the Mariner's Point nesting site as soon as possible to limit disturbance to the nesting terns. Buoys shall be placed in the water west of the start dock as a visual reference to boat drivers as to where the eastern edge of the water area adjacent to the least tern site is located. This area shall be designated a non-encroachment area for boats. In-water activities shall be restricted to two days, as agreed upon at the April 3, 1997, field meeting so as to reduce impacts to least tern foraging areas and excessive noise. Practice for in-water events shall be held elsewhere in Mission Bay Park.
- 9) The Service, CDFG, tern monitors, animal damage control specialists, and the City's Natural Resource Manager shall be allowed access to the site for inspection at any and all times.
- 10) Dumpsters and trash cans shall be emptied several times per day and after closing at night. The dumpsters and trash cans shall be emptied on a frequent enough basis that no dumpsters and trash cans are allowed to "overflow" with garbage. All dumpsters and trash cans shall be covered so that gulls, mammals, or other tern predators will not be drawn to the site by garbage. In addition, the City and X-Game staff shall provide personnel to hand pick up loose trash from 9:00 a.m. to 9:00 p.m..
- 11) Noise levels shall be kept below 60 db at all times during the event as to not harass or startle least terns. Compliance with this Special Condition shall occur at all times during and between X-Game events.
- 12) Helicopters, except in the case of emergency circumstances, shall not be permitted to land, hover, or fly over Mariner's Point during the X-Game events.
- 13) Fireworks shall not be used at any time during the X-Game events at Mariner's Point.

The Service considers these conditions to be non-discretionary and the minimal amount necessary to protect the least tern nesting colony at Mariner's Point in absence of a section 10 Incidental Take Permit pursuant to the Act. The above conditions have been formulated to avoid the take of least terns and are based on information presented by the City and X-Game staff to date. Changes or modifications to events, structures, or scheduling not disclosed to the Service may result in a violation of section 9 of the Act, and may be subject to civil and/or criminal penalties.

If the project applicant is unable to or refuses to implement these conditions, the Service recommends the Commission not issue a permit for the activities. The Service would like to make it clear that we have no objection to the X-Games taking place in San Diego. Likewise the


Ms. Ellen Lierly

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Service has no objection to the X-Games taking place in Mission Bay Park. As outlined above, the Service is extremely concerned about an event the magnitude of the X-Games taking place adjacent to one of the most productive least tern nesting sites in the State of California during the critical time period between May 1 and July 31.

Please advise the Service of what action the Commission intends to take on this issue. Thank you for your cooperation in these matters. If you have any questions regarding these comments, please contact John Konecny in this office at (760) 431-9440.

Sincerely,


Gail C. Kobetich
Field Supervisor

1-6-97-TA-98

cc: CDFG, Sacramento, Attn: Ron Jurek
CDFG, Long Beach, Attn: Tim Dillingham
City Of San Diego, Attn: Robin Stribley
NMFS, Long Beach, Attn: Bob Hoffman
USFWS, Division of Law Enforcement, Attn: John Brooks
X-Games, Attn: Jack Weinert

CG

Wed 10 b

Subj: Re: Extreme Games
Date: 97-04-16 16:19:27 EDT
From: RMartel000
To: mayor@sdmayor.sanney.gov
CC: bbw@cd2.sannet.gov, letters@uniontrib.com

Dear Mayor Susan Golding,

I recently went to Mariners Point to see for myself why there is such controversy over the X-Games. I had driven past there many times but had never actually gone into the park. I honestly thought the water area seemed small for such an event. Also, I did not understand why, with all the other parks in San Diego, this park with an endangered bird trying to nest there for that same period of time, would be chosen. All I can say is - How Big Of Us! To set aside (I'm guessing) two acres of land for an endangered species to nest and turn around and have boats speeding by them with crowds cheering around them.... Why did we even bother. As I was leaving this peaceful area I thought this seems so typical of what America is becoming, to show our youth that mankind's entertainment is more important than working to save our wildlife.

I am not against the X-Games but it does not seem too much to ask to have them at a park where we have not set aside land for and endangered species and at such a critical time for that species. If this cannot be done however I would very much like to be kept informed as to what steps will be taken to minimize the disturbances to the Least Tern and if any studies will be done to evaluate the effects the games had on them.

I do think it will be interesting to see if, after La Jolla had one event moved from there over traffic concerns, if an endangered species is important enough to have these events moved to a better park. What a great message to send our children, that other species on this planet really do matter.

I appreciate your efforts on this issue.

Sincerely,

Cynthia Martel
Cynthia Martel
3811 Marquette Place 4X
San Diego, CA 92106
e-mail: rmartel000

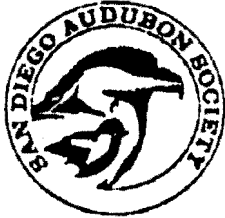
CC
Byron Wear, City Council
Letters Editor, Union Tribune
Gail Kobetich
Deane Swanson
Mission Bay Park Manager
Christine Kehoe, City Council
Ellen Lively
ESPN Cable Network

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SAN DIEGO COAST DISTRICT

EXHIBIT NO. 4
APPLICATION NO. 6-97-30
Letters of Concern and Opposition
California Coastal Commission



SAN DIEGO AUDUBON SOCIETY

2321 Morena Boulevard, Suite D • San Diego CA 92110 • 619/275-0557

April 22, 1997

California Coastal Commissioners
c/o Ms. Ellen Lirely
California Coastal Commission
3111 Camino del Rio North, Suite 200
San Diego, California 92108

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APR 22 1997

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Dear Ms. Lirely:

The San Diego Audubon Society is very concerned about the potential environmental impacts of the ESPN Extreme Games (X Games) on June 20 to 28 on Mariner's Point in Mission Bay. The construction, pre-event, event, and disassembly activity of the Games is anticipated to run from June 2 to July 2. During mid-June, Mariner's Point is one of the most environmentally sensitive areas in the city. Around this time last June this site contained 250 pair of endangered California Least Terns, a significant portion of the current world's population. They produced approximately 125 fledglings. The installation, event operation, and disassembly period will be concurrent with the Tern's first wave incubation, small chick and large chick rearing periods, and second wave courtship, egg laying, and incubation periods. If not run with great sensitivity, these games could substantially reduce both the first and second wave productivity. That could also have a ripple effect and degrade reproduction at the site for several years into the future.

San Diego Audubon Society, in conjunction with the Fish and Wildlife Service, has worked about 1000 hours to remove invasive vegetation, construct the monitoring grid, and other tasks to make this Nesting Area as effective as possible. We do not want to see its productivity diminished by inadequate planning or incompatible activity from this event.

It seems inappropriate that this event is proceeding without CEQA environmental review. The City has issued a "Public Notice of Proposed Negative Declaration" for the "San Diego International Sandfest" to be held at Fiesta Island in September to allow for meaningful environmental review. The X Games is a much larger event, in a much more environmentally sensitive area, during a more environmentally sensitive time of the year, with greater potential for traffic congestion, public safety problems, and reduced public access to a heavily used family park area. Clearly, the X Games should have careful environmental review including a complete description of the event, the proposed configuration of the event site, an analysis of alternatives, measures to minimize the impacts, mitigation measures, monitoring and enforcement, and public notice of all of these. Much time has been lost since the agreement was signed between ESPN and the City in June 1996. The games were announced to the public in early September 1996, and no serious environmental planning has occurred. It will be difficult to define adequate measures to insure that the environment or the citizenry does not suffer from this event in the short time remaining, whether the process is informal or formal. The development of suitable measures in this short time period will require substantial cooperation and dependable assurances. We urge that the Coastal Permit not be issued until and unless all these issues are thoroughly resolved. The fact that this is being submitted to the Commission at the very last month does not justify approval of an environmentally inadequate or questionable project.

The X Games would present considerably less environmental risk if held at a less environmentally sensitive site. Possibilities are the large events area on Fiesta Island, or South Shores Park, or possibly Ski Beach on Vacation Isle. These alternatives should be seriously considered by the City and ESPN. The CEQA process would have required that such alternatives be evaluated. We particularly urge that the Commission require that all, or at least a major portion, of the high speed boating activity be moved to another location.

The Chapter is initially concerned with the following specific impacts. With each we will suggest alternatives or measures that will offset that impact. We have not received a complete description of the event, or the event site. As more event plans are revealed and communication with experts and agencies progress, this list may evolve. A CEQA process would have provided adequate information up-front, to all interested parties, to allow a more coherent comment process.

- Direct disturbance to the nesting area: The Least Tern Nesting Area will be an attractive place for X Games visitors to seek privacy for napping, camping, or romantic activity by day or night. Any such intrusions are almost certain to result in the death of tern chicks and/or destruction of eggs.

To prevent this will require a dedicated, 24-hour security patrol with the authority and experience to stop and apprehend intruders, and a large empty buffer area. Security also must monitor the steep east and west banks of the buffer area as they provide easy access to the nesting area. Procedures for removing intruders that might slip into the nesting area must be formalized in advance with the regulatory agencies. We ask that local volunteers be given credentials to enter the buffer area and that Park Rangers be hired during off-hours to assess the protection of the site. These protections should be in place during the construction, pre-event, event, and disassembly periods

- Line-of-sight predator perches: No structures should be installed on which predatory birds can perch and see into the nesting area.

The nesting area has been estimated to extend 240 feet south from the six foot high fence. The plane of the nesting area appears to be about three feet above that of the event area. An initial calculation indicates that the proposed bleacher 450 feet from the fence should be no higher than 20 feet. A similar calculation should be done for all structures to be installed for the Games. The equation " $h = 0.025 s + 9$ ", where "h" is the allowable height in feet and "s" is the distance between the structure and the fence, in feet, can be used. No objects or structures should be permitted that exceed that height. If exceptions are made they should be minimized and be treated with bird repellent devices that are proven to be effective against the range of predators expected here, shrikes, falcons, hawks, owls, and gulls. Plastic owls, flags, and nixolite are not adequate.

- Sky Camera: A Sky Cam pole and suspension cable 60 feet high, 370 feet north of the northern fence of the Nesting Area was shown in an X Games site drawing, distributed by them on April 10. This would provide an unobstructed view of all of the Nesting Area except the northern 40 feet, nearest the fence. Thus this tower, cable, and guy wires will provide an ideal perch for shrikes, kestrels, falcons, hawks, and owls. On April 15, the ESPN staff stated that they will use a pole on the south end that will extend no higher than 30 feet. We have asked for, but have not yet seen any details of this concept and cannot comment on its acceptability, but we are hopeful. The pole on the north end, 1200 feet away will be 60 feet high. The allowed height at this distance is 51.5 feet. There is hope that if the southern bleacher is extended and permanently protected with rotating

"Repellers" it will block the view from the Sky Cam cable. Some evaluation should be done about raising the back of the first, and the south end of the second bleachers to allow the Repellers to stay mounted during the day.

- Mammal predators: Mammal predators, such as cats, rats, possums, and skunks, are likely to be attracted to the site at night by food scraps. Once attracted these may be a risk to forage on the tern chicks or eggs in the nesting area.

The grounds should be cleaned and all trash cans and dumpsters should be emptied each evening during setup, the Games, and the disassembly phase of the event.

- Gulls as predators (food and trash): Events that involve food tend to attract gulls. Once attracted to the area they may also tend to prey on tern chicks.

The Game site must be kept clear of food scraps, and visitors must be prevented from feeding gulls. In addition all trash cans must have gull proof, self closing lids firmly attached, and all dumpsters must be kept closed except when people are in the act of accessing them.

- Gulls as predators (predator control): Gulls that normally loaf at the planned event area are likely to be displaced into the Tern Nesting Area by the construction, pre-event, event, and disassembly activity on the site (~June 2 to July 2). Thus the likelihood of predation is substantially increased by these activities over the whole period from June 2 to July 2.

Predator control and experienced Least Tern monitors should be provided during entire period from when construction starts to July 2.

- High speed boat activity: A ring of eelgrass surrounds the X Games boating site. The event would involve substantial ferrying of contestants and officials through the shallow water area. This eelgrass would be damaged by power boats operating repeatedly near the beach. The sediments disturbed by the propeller wash from these boats in shallow water will settle on the eelgrass and retard growth. Mariners Point is normally surrounded by a five mile per hour speed limit. During the high speed events, both the wave action and the to a lesser extent, the aeration caused by these boats will reduce the ability of the Terns to see fish in the water and thereby their foraging success. The wave action striking the beach will also increase turbidity. The high speed boating activity could deter the Terns from using this area - the closest foraging area to the nesting site. We have inadequate information to comment on the impact of engine noise from the tow boats, but share the concerns expressed by the Fish and Wildlife Service

The high speed boating activity should be moved to a less sensitive area in the bay. If any boating occurs on this site it should be limited to a very few hours. Practice, warm-ups and preliminary heats should be run elsewhere to minimize impacts to the Terns. A few candidates for relocation are Enchanted Cove, Pacific Passage by Tecolote Creek, South Shores Park, near the DeAnza Launch Ramp, or possibly Ski Beach on the east side of Vacation Isle. These events are anticipated to run 12 hours, which is far too much of a risk.

If any boating activity is to remain at the site, repeated powerboat landings should not be allowed whether or not a gap in eelgrass can be found. The repeated shallow water boating activity would stir up sediments. Ferrying people to the deep water should be done by rowing or by pulling a shallow dinghy or inflatable to a transfer raft along a rope.

- Boating visitors: A large number of boaters will want to visit the X Games site by boat. They will want to land on the west side of the event site, the west side of the Least Tern

buffer area, or the west side of the nesting area. These boats will also harm the eelgrass and cause turbidity, as mentioned above.

Moving the boating competitive events elsewhere will reduce, but not solve this problem. The event would be safer and better environmentally if the beaching of visitor motor boats were prohibited and prevented by a security patrol boat off-shore. This patrol should protect the shoreline of the event site, the buffer area, and the Nesting Area, not just the boating event area as the project map shows. We are told that this will occur.

- Extreme Adventure Event: We have recently heard that an Extreme Adventure Race will end at Mariner's Cove. We understand the competitors will finish in kayaks and that much of this event will occur in Baja California.

We are not particularly concerned with beaching a dozen or so kayaks through the eelgrass area. However, we urge that the motorized escort boats not be allowed to beach in the cove at the conclusion of this race.

We also urge that the producers of this race be as careful to protect the sensitive wildlife habitat in Mexico as would be required in the U. S. If they cannot provide such assurances, the Extreme Adventure race should not be allowed to finish here.

- Night Lighting: Various newspaper articles have mentioned night events at the bleacher area. Any night-time lighting that enters the Nesting Area may increase the predation success of owls.

All lighting on Mariner's Point should be mounted low and be masked away from the Nesting Area to minimize the light that penetrates that area. Light level measurements immediately outside the Least Tern Nesting Area should be made to verify that the lighting is well managed.

- Sky-Tracker: The City Permit Application includes the use of a Sky-Tracker or moving searchlights to attract attention to the site. There appears to be a risk that the motion of the searchlight beams in the sky and on clouds could easily be disturbing to Terns and disrupt the chick rearing activities.

We urge that the use of Sky-Trackers or searchlights be prohibited at this site.

- Cold Inflated Blimp: The City Permit Application includes mention of a Cold Inflated Blimp, but does not mention of the dimensions or location.

As no specifics are given we cannot assess whether this balloon(s) will provide a predator perch looking into the Nesting Area. We urge that no balloon structures be allowed unless they can be shown to be too low to provide a view into the nesting area.

- Fireworks displays: It is anticipated that both the sound and light levels of fireworks displays near the nesting area would be likely to disturb the Terns.

We urge that no fireworks be permitted in association with the X Games.

- Helicopter disturbance: The X Games representatives have stated that there are no plans to use helicopters on the Mariner's Point Site. However they have not said that helicopters will not be used. We have seen that helicopters have been used to photograph the "Extreme Adventure" event, especially the finish. It is understood that this event will finish at Mariner's Point. We are concerned that any low-flying helicopters at Mariner's Point will disrupt the Least Tern activity, and the down draft may cause injury or cause the chicks to

be blown off the site. At other locations we have noticed that helicopters at less than a few hundred feet cause great disturbance to shore birds.

We urge that any helicopters that visit the Mariner's Point site be limited to no lower than 600 feet or so and only for very short time periods.

- Water quality risk: The congregation of event and visitor boats on the west side of the X Game site would increase the likelihood of fuel and oil spills and the introduction of oil and partially burnt fuel through the boats' wet exhaust systems. These will impact the terns and the whole ecosystem.

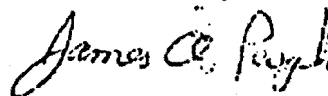
There should be an absolute prohibition on fueling or maintenance on the beach for any X Games or visitor boats. The other impacts cannot be satisfactorily reduced unless visitor power boat access is prohibited. We request that this be included in the Permit. We have been told that the X Games are planning on contracting the Mission Bay Harbor Patrol to prevent visitor access to Mariner's Point by boat.

- Sky surfing: ESPN has not identified the location of the Sky Surfing events, but Mariner's Point has not been ruled out. If a contestant were to land in the nesting area, because of an unforeseen event, wind shift, or emergency, recovery of the parachute and departing from the nesting area would be likely to cause damage to eggs and chicks. If this happened, friends and coworkers would probably also intrude to help out. This would be very likely to result in a tragic level of loss of eggs and chicks.

We have learned that the Sky Surfing event will be held at Oceanside which will eliminate this problem. We ask that the permit for this event not include the Sky Surfing.

In summary, we urge that the event be relocated to a less environmentally damaging site. If this is not possible, the above measures should be required by the Commission, and be carefully monitored, and the water-based events should be moved to a less sensitive location. The regulatory and environmental community must be allowed better access to information about this event, to allow assessment and feedback. The recovery of the Least Terns is very important to the Chapter. We would like to be able to work with the City and the organizers to make the event consistent with the California Least Tern's protection and recovery. There has been progress toward resolving some issues, but the event setup is scheduled to start in less than six weeks. We urge that the Commission not award this permit unless and until all of these issues are fully resolved.

Sincerely,



James A. Peugh
Immediate Past President

cc:

Mayor Susan Golding (Attn: Ron McKeown)
Byron Wear, San Diego City Council (Attn: Tom Cleary)
Christine Kehoe, San Diego City Council (Attn: Neil Hyytinen)
U. S. Fish and Wildlife Service (Attn: John Konecny)
California Department of Fish and Game (Attn: Tim Dillingham)

RECEIVED

APR 15 1997

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Wed 106
724 Jamaica Ct.
San Diego, CA 92109
April 15, 1997

California Coastal Comm.

Subject: ESPN Extreme Games

For 42 years I have been a resident of Mission Beach and have been a property owner here for 26 years. As a member of the Mission Beach Town Council I first learned of the X Games at their July meeting. Upset over the thought of another MTV (March '94) fiasco, I FAXED the responsible city officials of my concern of the use of Mariners Point as the hub of the 9 day event. As a result, I received a call from Jack Wienert of ESPN and a meeting was set up.

At that meeting I was given a copy of a letter dated June 6, '96 from Mayor Golding to Mr. Wienert stating "as we have agreed previously, access and permits for the use of the Mariner's Point site will be granted for the 1997 X Games." A letter from Byron Wear dated June 3, 1996 was also given to me which stated, "I personally will intercede with the California Coastal Commission to secure necessary permits to use Mariner's Point as Extreme Central." Any clout Mr. Wear may have thought he had with your commission at that time, I would assume, has diminished. But, after reading the above letters, I decided that ESPN had a "slam dunk" and anything further on my part would be futile.

As you are probably aware, the street luge and in line skating planned for La Jolla Shores has been tentatively moved to Oceanside as a result of opposition to the events from residents and Scripps. I would like to think that your commission could arrange for Extreme Central to be moved to Oceanside, or some place other than Mariner's Point, as well. It is surprising to me that ESPN has been here since July '96 and, only now, are applying for a permit from you that they were aware of in June '96. It is obvious to me that ESPN has invested a lot of money planning for the promised Mariner's Point location, but poor planning on their part doesn't mean a permit from you is mandatory.

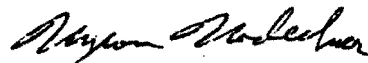
My concern, which I think is also your concern, is public access to the beach and to what extent the X Games

6-97-30

will impact beach visitor access and parking. A San Diego Union article stated that X Games II "played to a live audience of 210,00." That would be an average of over 20,000 per day. The South Shores Boat Launching lot has about 35 spaces marked for individual vehicles. The rest are marked for vehicles with trailers. Also, as the norm, people coming to the beach don't usually start before about 11 AM. It would appear to me that by then most of the nearby parking lots would have been filled by X Games spectators. I predict total gridlock, at least some of the time, on West Mission Bay Drive.

The enclosed SD Union article about MTV (March '94) really says it all. It was the worst traffic (and people) gridlock I have seen in my 42 years here. LETS NOT LET IT HAPPEN AGAIN!!!

Sincerely,



Myron Nodecker

Some hope 1995 MTV how goes elsewhere

Crowds, other problems plague 'Spring Break'

By KELLY THORNTON
Staff Writer

The sign posted in the front window of Ray Hamel's beachfront sports shop welcomed the invading MTV activity early last week.

But by week's end — after Mission Beach became chaotic in the final days of the music channel's "Spring Break" extravaganza — Hamel's attitude and sign had changed to a terse: "MTV, Move Back to Florida."

San Diego police say the MTV revelry caused a lot of problems over the weekend, prompting one sergeant to declare that he "lost about 10 years" off his life while trying to quell the violence.

Most of the activity occurred Sunday night, when officers had to call for cover and employ military-style tactics to control crowds in a near-riot around Belmont Park. Shots were fired, weapons were confiscated, brawling was continual and motorists were pulled from their cars and attacked, resulting in about 18 arrests, authorities say.

Police and city officials plan to meet at City Hall to discuss the event, which probably earned the city less than \$100,000 in direct revenue from MTV, authorities estimate.

News organizations did not discover the degree of disturbances last week because police used a frequency that cannot be monitored by media outlets.

See 'Spring Break' on Page B-2

'Spring Break'

Some are ready for MTV program to go elsewhere

Continued from B-1

The crowd was estimated at 20,000 on Sunday, the day before MTV wrapped up its seven-day "Spring Break" event. The problems were instigated mostly by suspected gang members outside the MTV compound trying to get in to see a rap act, said Sgt. Tony Johnson, in charge of the police presence at Mission Beach.

No one was critically injured over the weekend, Johnson said, but at one point, about 50 officers banded together in riot formation to sweep the crowd out of the area.

"We were taking a few bottles," Johnson said.

Police used batons, mace and pepper spray and eventually closed down Belmont Park, refusing to allow anyone — including residents — into the beach area.

"It was a nightmare," Johnson said. "We would be courting disaster if we had the event here again. It's really incredible no one was seriously hurt."

MTV spokeswoman Linda Alexander said she is shocked by the reports of disturbances outside the compound, a 2½-acre area of sand where MTV taped the "Spring Break" program.

"If there were problems, no one made us aware of it," Alexander said. "In fact, we were told by police on Sunday that they were very happy with how smoothly the event had gone."

MTV, or Music Television, moved the taping of its annual "Spring Break" show to San Diego's Mission Beach this year after eight years of production in Florida's Daytona Beach. MTV executives said they wanted to take the act elsewhere after tourism in Florida declined.

San Diego Mayor Susan Golding said she also was not aware of the violence connected to the MTV "Spring Break" taping at

"If there were problems,
no one made us aware of

it.

LINDA ALEXANDER
MTV spokeswoman

Mariner's Point on Mission Bay.

"I think it's premature to make any assessment until we have all the facts," she said yesterday.

Police denied that they deliberately attempted to hush news of the disturbances, saying the fighting was no worse than a typical holiday beach crowd.

"As far as the crowd, it was just like any other holiday," said Assistant Chief George Saldamando. "We're going to study to see if the site is a good site. Our biggest problem was traffic."

"To say there was a riot, no — there wasn't a riot," Saldamando said. "This summer, I'm sure police will be rocked and bottled again," he said.

San Diego City Councilman Ron Roberts, whose district includes Mission Beach, said he was surprised to hear of the violence. "Up until these last incidents, everything seemed to be going really well," he said.

"We have never had the intention of making San Diego the 'Spring Break' capital of the world or competing for those dubious honors," Roberts said. But if 15,000 kids a day can go to an event, have a good time and stay out of trouble, that's something we have to consider."

But residents and police reports indicate the problem was more extensive.

Hamel, owner of Hamel's Action Sports Center on Ventura Place near Mission Boulevard, said, "The police made it martial law and closed the beach. It was like a bomb ready to blow up. It was Labor Day, Memorial Day and the 4th of July all in one."

Sgt. Johnson counters, "It wasn't a full-blown riot. Most of the crowd complied with our instructions. But it was a real mess."

MTV hired about 70 private security guards to patrol the so-called compound where they taped their special. Guards screened visitors for alcohol and for weapons with a metal detector. But the problems occurred outside the compound where security guards did not patrol, Johnson said.

Johnson said record-setting heat and crowds, plus traffic jams and inebriation left beach-goers with flaring tempers and a penchant for violence.

The *San Diego Union-Tribune* learned of the melee when a 25-year-old woman called the newspaper to report that she was attacked and beaten by six other women.

A police report noted that in the darkness Sunday night, officers heard shots fired but "it was too crowded and too dark to identify the shooter."

Johnson said police and MTV officials met in the weeks preceding the events to prepare for the crowd. In those meetings, MTV agreed to provide three shuttles to and from the beach, Johnson said, but only one shuttle was provided.

Barry Lorge, spokesman for Festival Beach Odyssey '94, which was held in conjunction with the MTV taping, said last night that the violence occurred hours after taping was over.

"I'm just real troubled of the implication that this was a result of the festival," he said, adding that gang violence in Mission Beach is not uncommon.

Staff writer Kathryn Balint contributed to this story.

6-97-30

Wed 10 b

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To: Mayor Golding

(COPY TO ELLEN LIRCEY)

APR 16 1997

Date: April 16, 1997

Re: ESPN X Games

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

At the Mission Beach Precise Planning meeting last night an ESPN spokesman said the X games would generate \$20 million for San Diego.

I WOULD LIKE A PIECE OF THAT PIE! As I think there will be traffic gridlock much of the time, similar to the Tiajuana border, why shouldn't I try selling T shirts and other merchandise to the stranded motorists? To ensure sales, I would have one vendor selling "I love X Games" tee shirts while another would offer "I hate X Games". A phony souffle between them would probably amuse the bored people in vehicles and increase sales. If traffic started moving (doubtful), it could be slowed significantly by hiring a homeless person to push the walk button at the traffic light by the Bahia every time it changed. Spectators would no doubt do this for us (10-12 hours/day) as they will be parking in the public lot adjacent to the Bahia and crossing West Mission Bay Drive to and from the games.

As to permits and fees for my new business, I am aware that the \$32,000 site use fee was waived for ESPN by the city, so I don't see why I shouldn't get the same consideration. Do you?

Actually, "THE PIECE OF PIE" I might get from the above, might just turn out to be a financial "push". I have a summer rental, with deposits in hand, for the weeks of June 21 and June 28. If the arriving tenants are unable to get thru in their vehicle, can you tell me if the shuttle bus will have luggage capability and porters? It is a fairly long walk, with luggage, from the game site to the rental. Also, do I have to pay TOT tax on a "no show", if I were to keep their deposit?

If you think the above is wacky, I question the sanity of those responsible for promoting the Mariner's Point site for use at a time when beach attendance is near its high.

Sincerely,

Myron Nodecker
Myron Nodecker
724 Jamaica Ct.
488-4166 ph/FAX

6-97-30

Wed 106

BOB AND DE VEE LANGE

April 12, 1997



734 Balboa Ct./San Diego, CA 92109/619-488-8681

Coastal Commission
3111 Camino del Rio North #200
San Diego, CA 92108

RE: X Games Mariner's Point, June 20 - 28, 1997

Commission:

Before a permit is issued for the X-Games on Mariner's Point please consider that the first hatching of the least terns will be occurring during the June 20 - 28 period.

I have lived in Mission Beach since 1955 and have seen the terns continually displaced until they have the "least" area left for their survival.

Which is more important: survival of endangered species or money made from noise, crowds and fatuous TV entertainment?

I understand Oceanside, CA is welcoming the games- problem solved!

Sincerely,

De Vee Lange

De Vee Lange

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JUN 15 1997

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

6-97-30

Wed 10 b

San Diego County Chapter:
P.O. Box 230754
Encinitas, CA 92023
http://www.sdsc.edu/~sdccsf
619-792-9940



National Office:
122 El Camino Real, Box 67
San Clemente, CA 92672
E-mail: Surfrider0@aol.com
1-800-743-SURF

Surfrider Foundation San Diego County Chapter

April 14, 1997.

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APR 14 1997

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Honorable Mayor Susan Golding and
Honorable Members of the San Diego City Council
City Administration Building
202 "C" Street
San Diego, CA 92101

Re: Location of the ESPN X-Games

Dear Mayor Golding and City Council members:

The currently suggested location for the ESPN X-Games, Mariner's Point, is one of the most environmentally sensitive areas in the city of San Diego during the scheduled time for the event. Therefore, the San Diego County Chapter of the Surfrider Foundation would like to suggest three alternate locations: Fiesta Island, South Shores Park, or Ski Beach on Vacation Isle.

Mariner's Point is a known nesting site for the endangered California Least Tern. Since the installation, event operation and disassembly period of the ESPN event will coincide with the Least Tern's first incubation wave, it is very likely that these sensitive birds and their chicks will be adversely affected.

The San Diego County Chapter of the Surfrider Foundation urges the city council to take a proactive stand by re-locating the ESPN X-Games to avoid any impacts on the precious habitats left to the Least Terns.

Sincerely,

Helge Weissig, Ph.D.
Chair

cc: California Coastal Commission,
US Fish & Wildlife Service,
Deanne Swanson (ESPN)
ESPN Cable Network

6-97-30



Betty J. Walker, R.N. *Card 106*

NATURAL HISTORY CONSULTANTS, INC.

~~Theodore J. Walker, Ph.D.~~



RECEIVED

APR 02 1997

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

March 31, 1997

Re: File # 69730
Least tern - *Sterna albifrons*

Coastal Commission
3111 Camino del Rio No # 200
San Diego, CA 92108

Dear Coastal Commission:

Over the 48 years I have lived in So. Mission Beach. I have observed the gradual insidious decline of appropriately needed nesting sites for the Least Terns. They arrive early April, court, lay eggs early May, after 24 days incubation, hatchling begin to appear. The season runs generally through early September. They do not tolerate people well.

Please do not grant the "X-Games" a permit in Mission Bay Park middle of June - a critical period for the propagation of this endangered species.

Sincerely
Betty J. Walker

P.S. Royal tern - *thalassimus maximus* } use to nest Mission
Elegant tern - *thalassimus elegans* } Bay - No longer Rare

Wed 106



RECEIVED

APR 16 1997

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

April 14, 1997

California Coastal Commission
3111 Camino del Rio North, #200
San Diego, CA 92108

To the California Coastal Commission:

I am appalled that the city of San Diego would even consider for a minute allowing ESPN to use Mariner's Point as a site for the X Games. This is easily one of our area's most environmentally sensitive places, particularly at that time of year for the Least terns. A tremendous amount of hard work has gone into preserving this area for the terns over the last few years and to see all of this work go down the drain just to give a commercial enterprise a pretty picture to show on T.V. is simply ludicrous!! It is my understanding that if these birds are disturbed during their nesting season, they will never return to that site again - there are so very few places left for them to nest that common sense alone should dictate moving the X Games to another location on Mission Bay.

Sincerely,

Kathie Satterfield
Owner

Your Backyard Birdfeeding Specialist®

6-97-30

Kathlyn, Inc. d.b.a. Wild Birds Unlimited

235-A Town Center Parkway • Santee, CA 92071 • (619) 449-9930

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APR 16 1997

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

wed 106

5455 Pacifica Dr.
La Jolla, CA 92037
April 14, 1997

Ellen Lirely
California Coastal Commission
3111 Camino del Rio North, Suite 200
San Diego, CA 92108

Dear Ms. Lirely:

I am writing to you to express my concern about the environmental impact of ESPN's proposed Extreme Games or X Games scheduled for June 20-28, 1997 at Mariner's Point in Mission Bay.

Unfortunately the proposed location is in close proximity to the Least Tern nesting preserve also located on Mariner's Point. Furthermore during late June, when the games are scheduled, the terns are in the throes of rearing their young. The commotion resulting from the large number of people and activities in the area will likely cause many adults to abandon their nests. Abandoned young are sure to perish from starvation or predation from the many gulls which will be attracted to the area. As some events involve water sports, the birds will be surrounded by noise and commotion. Since the activities will continue throughout the day and into the night, the nesting terns will be constantly stressed for over a week. Allowing this disruption is a major compromise to the intent of setting aside this nesting site. As a member of the California Coastal Commission I hope that you will help bring some sense to this poorly planned event.

While I am sure this event will bring much needed revenue to our city and that many people will enjoy the activities, either the date or the site must be changed to allow these birds to rear their young free from harassment.

I request that these factors be given due consideration prior to the event being staged and look forward to hearing of plans to mitigate the impact of the X-Games on the nesting Least Terns.

Sincerely yours,

Richard Griebe

Richard Griebe

6-97-30

Wed 10 b

ANNE RAHE
2059 CECELIA TERRACE
SAN DIEGO, CA 92110-1224



Caliform Coastal Comm
attn. Ms Ellen Lively
3111 Camino Rio Norte

Ms Lively -
Regrettably, I am unable to
attend the Coastal Comm meeting
on 5/17 in Santa Barbara,
I am concerned over the position
of the X-groves and the long term
nesting rights. I realize I should
have been further away from
the nesting area, but in that
I want to raise problems. The birds
should be very grateful to all of us.
Thank you - my regards, and Rahe

6-97-30.

020100

The ESPN Extreme Games vs. The California Least Tern

For Your Information:

There is growing public opposition to the ESPN Extreme Games being held at Mariner's Point, June 20-28, 1997.

Who is responsible for allowing these X-Games to be held adjacent to a California Least Tern nesting area, during peak nesting season?

This event poses a threat to the safety and well being of these birds. The timing and proximity of the games to such a sensitive area is unfortunate and inconsiderate.

The Least Tern is an endangered species protected under Federal Law and California State Law.

Extreme Games has promised a number of measures to minimize many of the impacts. However, with each new discussion there seems to be a new problem.

The real solution is to use a less sensitive site.

Last year's X- Games in Rhode Island attracted 210,000 spectators. There will be bleachers, a temporary dock, sky cam towers, concession stands, crowd noise and congestion. Events will include stunt bike riding, wake boarding, barefoot water ski jumping, skate boarding, sport climbing, snow boarding (big air jump) plus some scheduled night and aerial events.

Water events held in Mariner's Basin and Bonita Cove hinder the tern's ability to catch food their young offspring.

There are other more suitable sites in Mission Bay, but there has been no systematic environmental review nor an analysis of alternative sites.

Please keep me informed on what you and local government officials can do to relocate this event or to adequately protect the Least Terns and their nesting site. Thank you.

Sincerely,
Ginger Rosser
Ginger Rosser

3524 Tennyson Street
San Diego, CA 92106
(619) 223-6842
aquamatic@aol.com

RECEIVED
APR 23 1997

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

6-97-30

