

CALIFORNIA COASTAL COMMISSION

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Staff Report and Recommendation on Consistency Determination

Consistency Determination

No. CD-166-97

Staff:	TNP-SF
File Date:	11/24/97
45th Day:	1/8/98
60th Day:	1/23/98
Commission Meeting:	1/12-16/98

Federal Agency: U.S. Navy

Development Location: Naval Air Weapons Station (NAWS), Point Mugu, Ventura County (Exhibit 1).

Development Description: Relocate four E-2 aircraft squadron and related support personnel, equipment, and functions from Naval Air Station Miramar in San Diego County to NAWS Point Mugu in Ventura County, including expansion and construction of new buildings (Exhibit 2).

Executive Summary

On November 24, 1997, the Commission received a consistency determination from the U.S. Navy for the relocation of four E-2 squadrons and associated support personnel from Naval Air Station Miramar to Naval Air Weapons Station Point Mugu. The project includes the construction of several new buildings and the expansion and/or renovation of several existing facilities to accommodate the squadrons. Most of the construction and expansion projects will occur on sites already paved or developed.

The project is located near Mugu Lagoon, which supports a number of species listed under the Endangered Species Act, including the light-footed clapper rail and the Western snowy plover. The project would not directly affect the lagoon or other sensitive habitat. The project, however, could increase polluted runoff into the lagoon. The Navy has taken several measures to assure that the water quality in Mugu Lagoon is protected, including incorporating filters into the parking lot design to collect polluted runoff and developing a stormwater pollution prevention plan to control runoff into the lagoon. The Navy has agreed to Commission staff review of the plan prior to implementation of the project. With these measures, the project will not negatively affect the water quality of the lagoon and is

consistent with Section 30231 of the Coastal Act. The U.S. Fish and Wildlife Service has also reviewed the project and determined that it will have no negative impacts on any species in the project area listed under the Endangered Species Act. Therefore, the project is consistent with Section 30240 of the Coastal Act.

The construction of new or expanded facilities will be located in already existing developed areas, and will be compatible with the existing development. Therefore, the project will have no adverse impacts on the visual quality of the coastal zone, and is consistent with Section 30251 of the Coastal Act.

The project is also consistent with the public access policies of the Coastal Act. The proposed project is located on a military base, which does not currently provide for public access. Although the project will increase traffic on Highway 1, a major recreational route, the increase in traffic will be minor and will not significantly affect public access opportunities in the area.

Staff Summary and Recommendation:

I. Staff Summary

A. *Project Description:* The proposed project consists of the relocation of four E-2 squadrons (16 aircraft) and personnel (2,488 personnel total) from Naval Air Station Miramar to Naval Air Weapons Station (NAWS) Point Mugu (Exhibit 1). The project includes the construction, expansion, and renovation of facilities at NAWS Point Mugu. With the exception of a 375 space parking lot and the operational trainer facility (OTF), all construction and expansion projects will be on sites already paved or developed. The construction/expansion projects included in the proposed project are as follows:

- expand an existing 115,000 square foot hangar and remodel interior by 7,000 square feet;
- expand building 385 by 7,000 square feet for avionics shop;
- renovate building 311 to accommodate maintenance shops and storage area;
- construct new 9,664 square foot building for operation trainer facility (OTF) with new 375 space parking lot;
- renovate building 50 for administration activities;
- renovate existing hangar; and
- modify building 5 for personnel support facility (see Exhibit 2).

B. *Status of Local Coastal Program:* The standard of review for federal consistency determinations is the policies of Chapter 3 of the Coastal Act, and not the Local Coastal program (LCP) of the affected area. If the LCP has been certified by the Commission and incorporated into the California Coastal Management Program (CCMP), it can provide guidance in applying Chapter 3 policies in light of local circumstances. If the LCP has not been incorporated into the CCMP, it cannot be used to guide the Commission's decision, but it can be used as background information. Although the Commission has certified the LCP for Ventura County, it has not been incorporated into the CCMP.

C. *Federal Agency's Consistency Determination:* The U.S. Navy has determined the project to be consistent to the maximum extent practicable with the California Coastal Management Program.

II. Staff Recommendation:

Staff recommends that the Commission adopt the following motion:

MOTION: I move that the Commission *concur* with the Navy's consistency determination.

The staff recommends a YES vote on this motion. A majority vote of the prevailing commissioners in the affirmative will result in adoption of the following resolution and findings:

Concurrence:

The Commission hereby *concur*s with the consistency determination made by the Navy for the proposed project, finding that the project is consistent to the maximum extent practicable with the California Coastal Management Program (CCMP).

III. Findings and Declarations:

The Commission finds and declares as follows:

A. Environmentally Sensitive Habitat and Marine Environment:

Section 30240 of the Coastal Act provides for the protection of sensitive habitat areas. This section states, in part:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(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.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed project is located near Mugu Lagoon, an environmentally sensitive area. The lagoon supports a number of species listed under the Endangered Species Act, including the light-footed clapper rail, Belding's savanna sparrow, and the California least tern. The general project area also supports a number of other state and/or federally listed species, including:

- harbor seal
- gray whale
- California sea lion
- Common dolphin
- Bottlenose dolphin
- Risso's dolphin
- Western burrowing owl
- Western snowy plover
- American peregrine falcon
- California brown pelican
- salt marsh bird's beak

No development is proposed directly in wetland areas. Construction and expansion of facilities will occur predominately on existing developed sites; approximately 1.3 acres of landscaped and previously disturbed habitat areas will be converted to development for the remaining of the project. Development in these areas will not affect any other sensitive species.

A number of species in the project area could be disturbed by noise generated from the jets. Harbor seal rookeries and pupping areas at NAWS Point Mugu are of specific concern. However, the Navy does not believe that the additional air flights generated from the proposed project would adversely impact the harbor seal population. The Navy states in its draft EIS that:

Aircraft [currently] routinely fly below 1,000 feet (305 meters) while transitioning NAWS Point Mugu. The harbor seal population at NAWS Point Mugu is habituated to the noise and to the visual presence of the aircraft. They have continued to pup successfully in the vicinity of these air operations. Any impact to an individual pinniped would most likely be a short-term startle response to noise... (p. 4-7)

Since the ambient noise in the general project area is often high, and noise levels generated by the E-2 aircraft are lower than noise levels from existing flight operations, the Commission agrees that the project will not adversely affect the harbor seal population. The U.S. Fish and Wildlife Service has reviewed the proposed project and has determined that the project will not adversely affect any listed species under the Endangered Species Act or other sensitive species in the project area.

A concern has been raised to Commission staff regarding the adequacy of the Navy's noise analysis and impacts from this project. The concern focuses on several issues: the Navy's analysis does not specify specific flight patterns, sound data is generated by a computer model without field testing, the region of influence is inadequate for analysis, and the model used appears to assume a single aircraft. However, the Navy states in its draft EIS that flyover event sound exposure level data are not available for E-2 aircraft; therefore, the Navy used data from a similar but larger aircraft. Based on this data, and the conclusions of the U.S. Fish and Wildlife Service, the Commission finds that the noise generated from the project will not significantly affect any sensitive species in the project area.

In addition to the issues discussed above, the project has the potential to indirectly affect threatened and endangered species and nearby wetland species through a deterioration in water quality from the project. The project has the potential to increase erosion into the lagoon during construction activities

and increase polluted runoff into the lagoon, potentially affecting the water quality and habitat of a number of sensitive species.

The proposed project will result in an additional 3 acres of impervious surfaces. The U.S. Navy states in its draft EIS that the existing stormwater collection system would be adequate to accommodate the increase in rate and volume of storm water runoff at NAWS Point Mugu due to the project. The Navy has taken several measures to minimize the amount of polluted runoff into Mugu Lagoon, including preparation of erosion control plans prior to construction activities, incorporating traps and/or filters to collect polluted runoff from the parking lot, and confining E-2 engine cleaning to areas where wash water can be collected and treated, thereby minimizing the amount of pollutants discharged into the lagoon. The Navy is also developing a stormwater pollution prevention plan for this project and has agreed to submit the plan to the Commission staff for its review prior to implementation of the project. Based on the Navy's commitments and future staff review of the specific details of the runoff plan to ensure the Navy's commitments will continue to be monitored and met, the Commission finds the project will not adversely affect the quality of coastal waters and is consistent with Section 30231 of the Coastal Act. The Commission also finds the project will not adversely affect environmentally sensitive habitat and is consistent with Section 30240 of the Coastal Act.

B. Visual Resources: Section 30251 of the Coastal Act states:

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

The proposed development will be located in an existing developed area of NAWS Point Mugu. Most of the development will occur in areas already disturbed, and will require minimal grading. The scope and scale of the project is compatible with existing structures in the area. Most of the project will not be visible from outside the base perimeters. The proposed new parking lot will be constructed adjacent to the open space area surrounding Mugu Lagoon. However, the development is compatible with existing development in the area. The project therefore will not significantly alter public views or the scenic resources of the coastal zone, and is consistent with Section 30251 of the Coastal Act.

C. Public Access: Sections 30210 through 30212 of the Coastal Act require public access opportunities to and along the coast to be protected and maximized, consistent with public safety, resource constraints, and military security needs. Section 30212 states, in part:

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

- (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,
- (2) adequate access exists nearby, or,
- (3) agriculture would be adversely affected.

The proposed project is located on a military base where public access is prohibited, based on military security needs. However, the project will generate additional traffic on Highway 1, which is the primary route serving Mugu State Park. The park is located directly to the east of Point Mugu. Traffic projections for 1999 (the expected year of the realignment being implemented) show Highway 1 intersections near Point Mugu at levels of service A and B during peak hours, without the proposed project. The Navy's analysis of traffic impacts in 1999 concludes that the proposed project will have no significant impacts on traffic, and will increase traffic around the base by 2-6%. The level of service at key intersections will not fall below level of service C; most of the intersections which will result in decreased levels of service are roads accessing NAWS Point Mugu, rather than Highway 1. (The Navy's analysis of impacts focuses on the increase in base personnel, and does not include travel generated by family members. This increase in traffic from family members is considered to be part of a two percent growth in background traffic, accounted for in the baseline projections.) The Navy has also committed to implementing a traffic management program during construction of the project to minimize traffic impacts to the surrounding community. The Commission agrees with the Navy that this impact is minimal and that the project will not significantly affect public access opportunities in the area.

Further, the Commission has traditionally determined that legitimate military security needs in situations where public access burdens are not generated by proposed activities means that no additional public access needs to be provided in order to find the project consistent with Coastal Act policies on access. The Commission has historically accepted access exclusions for military security reasons at NAWS Point Mugu; this project will not generate any burdens on public access opportunities. Therefore, the Commission finds the project consistent with the public access and recreation policies (Sections 30210-30212) of the Coastal Act.

D. Air Quality: Section 30253 of the Coastal Act states, in part, that new development shall "be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development."

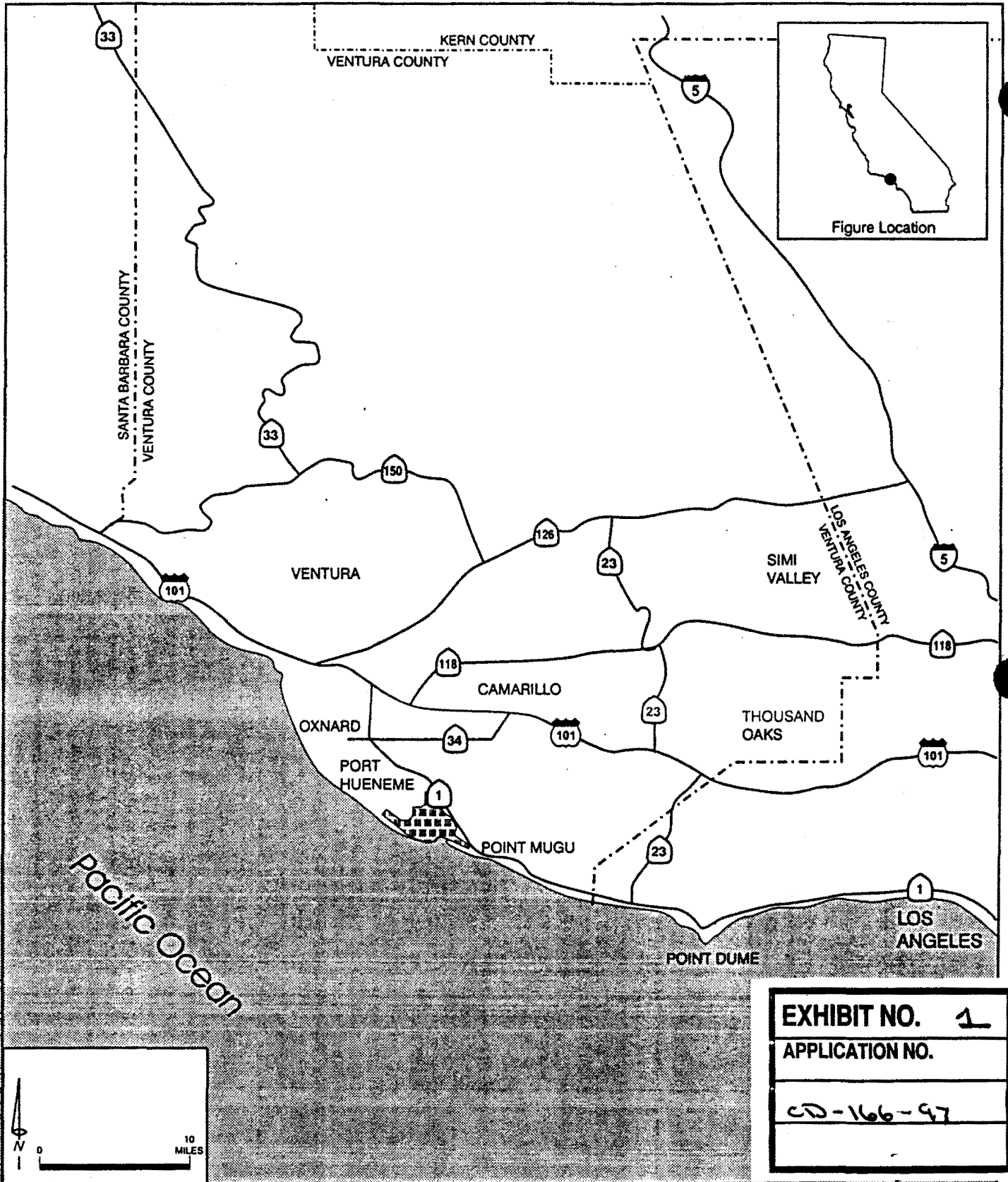
Section 30414 of the Coastal Act states:

The provisions of this division do not authorize the commission or any local government to establish any ambient air quality standard or emission standard, air pollution control program or facility, or to modify any ambient air quality standard, emission standard, or air pollution control program of facility which has been established by the state board or by an air pollution control district.




Point Mugu is a nonattainment area for ozone and inhalable particulate matter. Emissions of ozone precursors from the project will exceed the threshold level allowed; therefore, to proceed with the project, the Navy would need a conformity determination with the State Implementation Plan (SIP). However, in its draft EIS, the Navy concludes that the project will still conform with the ozone SIP for Ventura County due to prior reductions in activities at NAWS Point Mugu that have reduced emissions allowed under the SIP. The Navy concludes that the prior reduction in emissions more than compensate for the increases in emissions due to the proposed project, and therefore complies with the standards of the Clean Air Act .

The Air Pollution Control District has reviewed the Navy's analysis for conformance with the SIP and agrees with the Navy's conclusions. Section 30414 of the Coastal Act prohibits the Commission

from establishing any standards for air quality other than those requirements imposed by the Air District. In complying with the standards of the Clean Air Act, the Navy will also comply with the Coastal Act. Based on the Navy's conclusions regarding reduced overall air emissions, and on the Air Pollution Control District's agreement with those conclusions, the Commission finds the proposed project consistent with Section 30253 of the Coastal Act.



NAWS Point Mugu is located on the coastline of the Pacific Ocean near Port Hueneeme and Oxnard.

- LEGEND:**
-  NAWS Point Mugu
 -  Road
 -  County Boundary

NAWS Point Mugu Regional Location Map

E-2 Aircraft Squadrons Realignment EIS
NAWS Point Mugu, California

- Proposed Project Sites:
- A** Aircraft Hangar and AIB (Building 553)
 - B** Vehicle Parking
 - C** Avionics Shop (Building 385)
 - D** OTF
 - E** Aircraft Washrack
 - F** AEWINGPAC Administration Building (Building 50)
 - G** Engine Maintenance Shop, Ground Support Maintenance Shop, Ground Support Storage (Building 311)

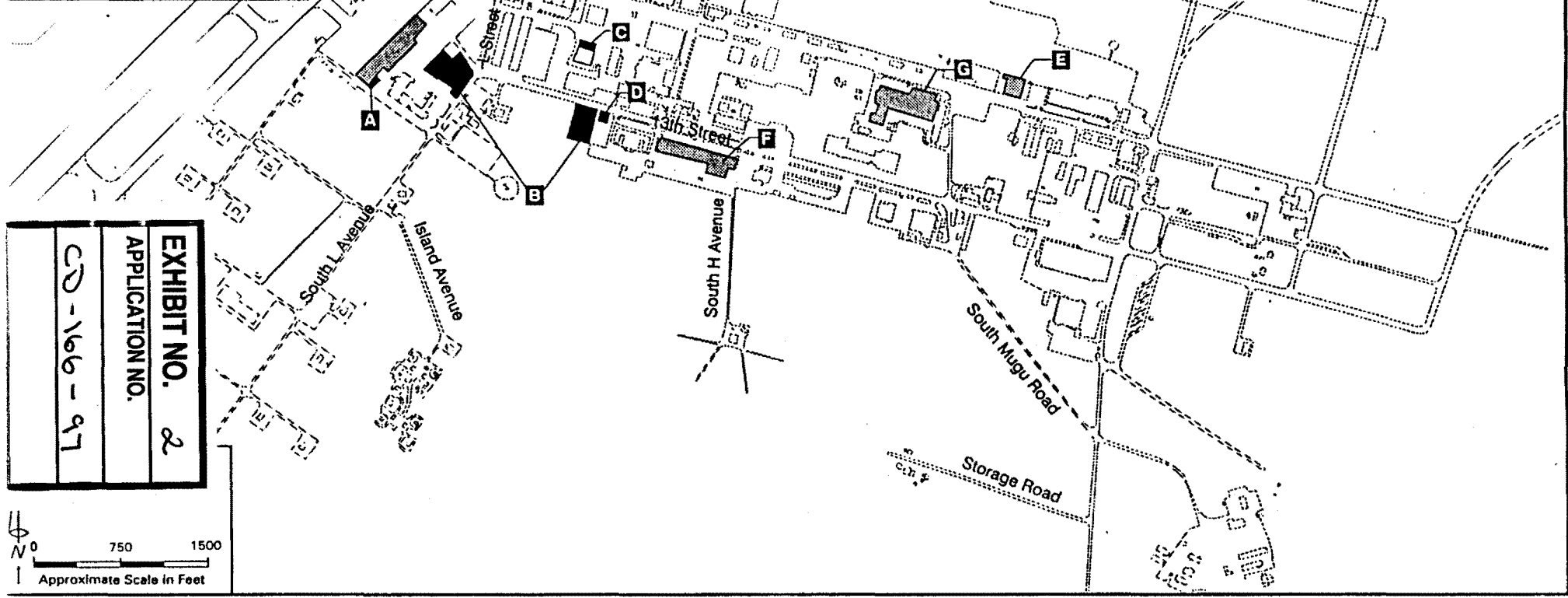
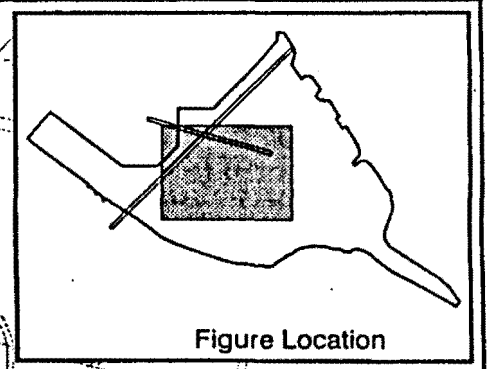
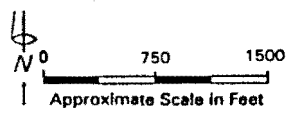


EXHIBIT NO.	2
APPLICATION NO.	
CD-166-97	



- LEGEND:**
- Construction/Expansion
 - Renovation

With the exception of the proposed vehicle parking lots, all construction/expansion sites are located on sites that are paved or developed.

NAWS Point Mugu Proposed Project Sites: Operations Area

E-2 Aircraft Squadrons Realignment EIS
NAWS Point Mugu, California

Source: Hovde 1997.

Figure 2

Proposed Project Sites:

- H Dental Clinic (Building 5)

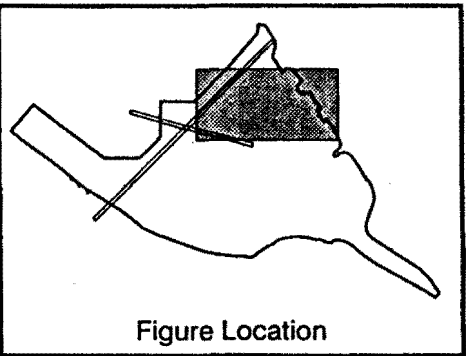
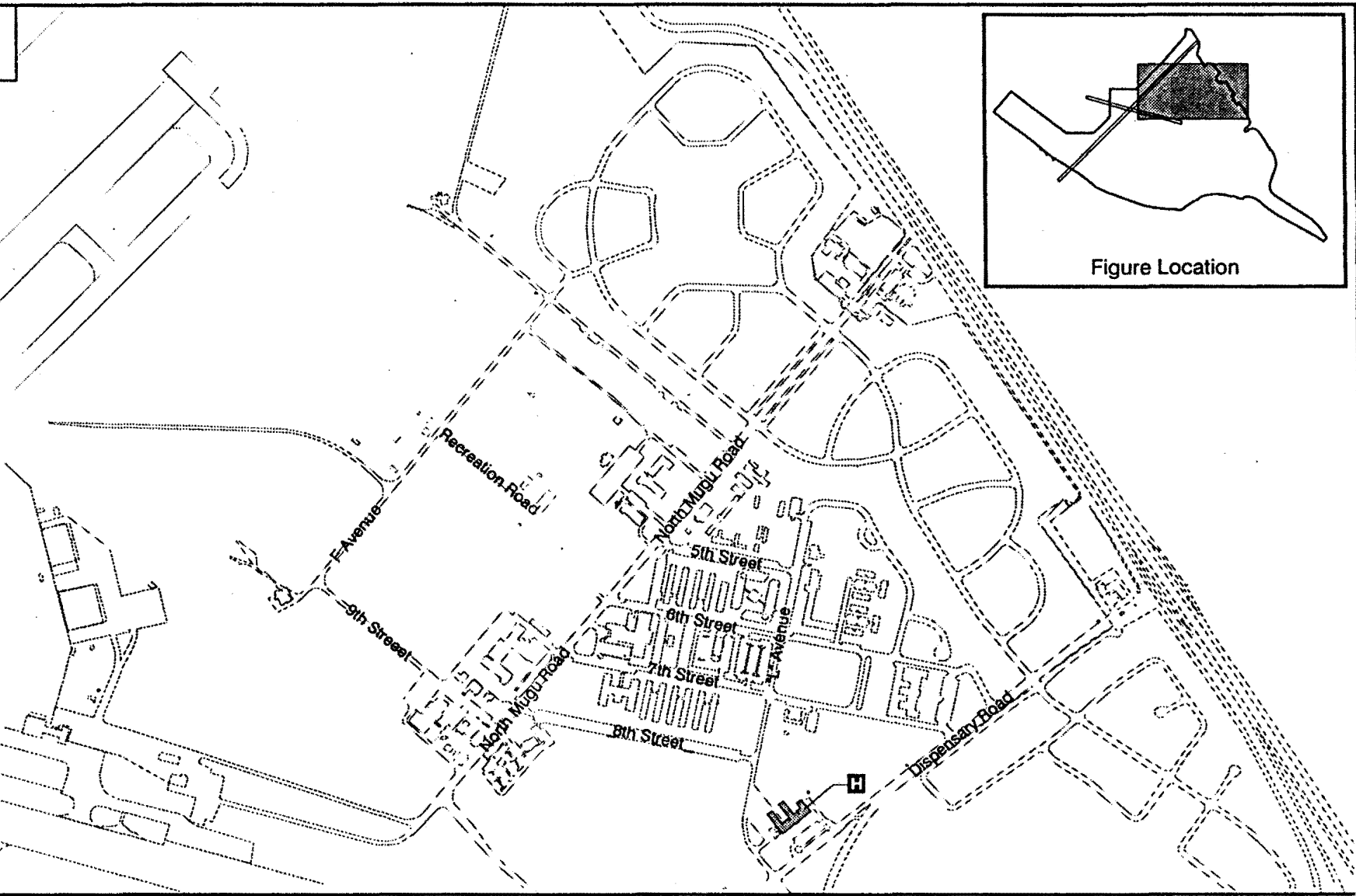
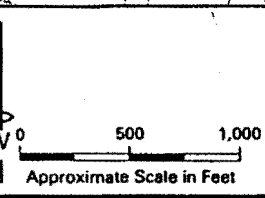


EXHIBIT NO. 2
APPLICATION NO. 1566-97



Implementation of the proposed action at NAWS Point Mugu would require renovation of the dental clinic and family services center.

LEGEND:
[Shaded Square] Renovation

NAWS Point Mugu Proposed Project Sites: Administration Area

E-2 Aircraft Squadrons Realignment EIS
NAWS Point Mugu, California