

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT AND RECOMMENDATION

ON CONSISTENCY DETERMINATION

Consistency Determination No.	CD-100-98
Staff:	JRR-SF
File Date:	8/14/98
45th Day:	9/28/98
60th Day:	10/13/98
Commission Meeting:	9/10/98

FEDERAL AGENCY: **U.S. COAST GUARD**

DEVELOPMENT

LOCATION: Coast Guard Station, Point Sur (Exhibit 1 and 2)

DEVELOPMENT

DESCRIPTION: Replacement of an existing antenna tower (Exhibit 3)

SUBSTANTIVE FILE DOCUMENTS:

1. Negative Determination, ND-098-97, for replacement of an existing communications tower.
2. Consistency Determination, CD-160-97, for replacement of an existing communications tower.

EXECUTIVE SUMMARY

The Coast Guard proposes to replace a 100-foot communication tower at the Point Sur Light Station with an 80-foot tower at the same location. The Coast Guard will improve

of the offshore area to support the Coast Guard's needs. The Coast Guard considered use of two towers to replace the tower on Point Sur. Although this alternative would resolve the coverage problem, it would add significant costs and require significant modifications to the Coast Guard communications infrastructure. Thus that alternative is not feasible. After reviewing the alternatives, the Coast Guard concluded that the proposed replacement of the tower at Point Sur is the only feasible alternative. In order to mitigate the some of the visual impacts, the Coast Guard proposes to lower the height of the tower to 80 feet and to remove an existing equipment structure.

With these modifications and additional analysis, the proposed project appears to be the only feasible alternative and will slightly improve visual resources in the area. Also, the Commission will retain federal consistency authority over any proposed future antennas on the tower. Therefore, the project is consistent with the visual policies of the Coastal Act.

The proposed project is located in an area that supports several endangered species. However, none of the species in the area will be affected by the tower replacement. Additionally, the area supports recreational resources, which will not be affected by the tower replacement.

STAFF SUMMARY AND RECOMMENDATION:

I. Project Description.

The U.S. Coast Guard (Coast Guard) proposes to remove an existing 100-foot communications tower at the Point Sur Light Station and replace it with an 80-foot tower of similar design. The Point Sur Light Station is in Monterey County, approximately 19 miles south of the city of Carmel (Exhibit 1). The tower supports an antenna that is part of the National Distress System used by mariners to contact the Coast Guard for help during emergency situations. The Point Sur National Distress System tower provides radio coverage between the Coast Guard's National Distress System sites at Mt. Umunhum to the north and Cambria to the south.

The National Distress System is the main component of the Coast Guard's Short Range Communication System, and is used by mariners to contact the Coast Guard for help during emergency situations. National Distress System facilities receive and respond to distress calls involving life threatening situations or protection of the natural environment (e.g., protection of marine and wildlife resources from oil spills). This system uses very high frequency (VHF) FM radio waves to provide two-way communication coverage in coastal areas and navigable waterways where commercial and recreational maritime traffic exist. The system consists of approximately 300 remotely controlled VHF transducers and antennas located at high-elevation sites. It was originally intended for

The Coast Guard conducted a detailed alternatives analysis to identify and evaluate potentially suitable sites for relocating the National Distress System antenna. This analysis evaluated all existing communication sites in the Point Sur area, including the current National Distress System tower location at Point Sur. Seven alternative locations were identified for further analysis, including the existing location at Point Sur. These sites were evaluated with respect to radio coverage and general consistency with State and local coastal plans. Alternative sites were also evaluated in terms of their consistency with managerial concerns of the Coast Guard such as accessibility of the site, cost for construction and maintenance, schedule for replacement, and assurance of securing a long-term lease. Achieving adequate radio coverage is the primary concern for the Coast Guard. Any reduction from the present coverage radius would not permit the Coast Guard to provide necessary coverage of the coastal area for search and rescue purposes and would discount a site from further consideration. Based on this analysis, the Coast Guard determined that only the Point Sur location would provide the necessary range of radio coverage.

The Coast Guard proposes to replace the existing 100-foot skeletal tower with a new 80-foot tower of similar design. At the base, each side of the proposed tower would be between 4.5 feet and 6.5 feet, but no greater than 6.5 feet. Similar to the existing tower, the National Distress System antenna would be mounted vertically on the tower; however, in order to maintain the necessary range of radio coverage, the antenna would extend 20 feet above the top of the new tower.

The new tower would be in the same location as the existing tower. The existing tower foundation also would be replaced with a new reinforced concrete foundation. The existing 8-foot by 10-foot fiberglass equipment shelter located adjacent to the antenna tower would be removed and the equipment relocated into the Visitor's Center adjacent to the tower. This equipment would require only a small area in the Visitor's Center building (approximately 4 feet by 2 feet). The tower would be engineered to support the Coast Guard's National Distress System antenna and would not be designed to specifically support a large number of additional antennas.

II. Background.

In July 1997, the Coast Guard submitted a negative determination to the California Coastal Commission, pursuant to 15 CFR § 930.35(d), for replacement of the existing tower. The Commission staff objected to the negative determination, stating that the existing tower adversely affected the visual integrity of the area and the proposed replacement would degrade these visual resources by prolonging the life of the tower. The Commission staff also stated that tower improvements could allow for an increase in the number of antennas on the tower. Commission staff requested that the Coast Guard evaluate the visual effects of the replacement tower, including assessing the visibility of

Commission certified the LCP and incorporated it into the CCMP, the LCP can provide guidance in applying Chapter 3 policies in light of local circumstances. If the Commission has not incorporated the LCP into the CCMP, it cannot guide the Commission's decision, but it can provide background information. The Commission has partially incorporated the Monterey County LCP into the CCMP.

IV. Federal Agency's Consistency Determination.

The Coast Guard has determined the project to be consistent to the maximum extent practicable with the California Coastal Management Program.

V. Staff Recommendation:

The staff recommends that the Commission adopt the following motion:

MOTION. I move that the Commission concur with the Coast Guard' consistency determination.

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

A. Concurrence

The Commission hereby concurs with the consistency determination made by the Coast Guard for the proposed project, finding that the project is consistent to the maximum extent practicable with the California Coastal Management Program.

VI. Findings and Declarations:

The Commission finds and declares as follows:

A. Maritime Resources. Section 30224 of the Coastal Act provides, in part, that:

Increased recreational boating use of coastal waters shall be encouraged
....

Section 30234 provides, in part, that:

Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded

B. Oil Spills. Section 30230 of the Coastal Act provides that:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act provides, in part, that:

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

Section 30232 of the Coastal Act provides that:

Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

Along with its search and rescue operations, the Coast Guard is one of the primary federal agencies responding to oil spills. The main communication system that the Coast Guard uses to monitor for oil spills is the National Distress System. Additionally, the Coast Guard would also use the National Distress System for internal communication during an oil spill response. If the Coast Guard did not replace the tower at Point Sur and it failed (which is likely considering its degraded state and weather in the area), the Monterey County coast would be more susceptible to environmental damage from a catastrophic oil spill. Without the National Distress System tower at Point Sur, early response to the spill would be almost impossible. Additionally, the lack of communications would interfere with internal coordination for the Coast Guard's response to an oil spill. Because of this loss of communications, it is likely that the damage from an oil spill would be much worse. In conclusion, the Commission finds that the proposed project is necessary to protect coastal resources from significant damages from an accidental oil spill. Therefore, the Commission finds that the project is consistent with the oil spill and water quality policies of the CCMP.

Coastal Act's visual policy encourages enhancing visual quality. Similarly, the LCP contains policies that encourage the relocation of existing structures outside the critical viewshed in order to restore the scenic resources. Specifically, the LCP provides, in part, that:

The general policy concerning replacement of structures shall be to encourage resiting or redesign in order to conform to the Key Policy [cited above]. Replacement or enlargement of existing structures ... within the critical viewshed shall be permitted on the original location on the site, provided no other less visible portion of the site is acceptable to the property owner, and provided the replacement or enlargement does not increase the visibility of the structure. (Big Sur LCP, policy 3.2.3(A)(7), p. 12, emphasis added.)

Finally, the Big Sur LCP contains several exceptions to the Key Policy. These exceptions include coastal-dependent uses including aids to navigation. However, the LCP limits the exceptions by the following language:

Coastal-dependent uses, natural resource management needs, and certain necessary public facilities as specified below, are permitted provided that in each case there be a finding [sic] that no reasonable alternative exists, that no significant adverse visual impacts will result, and that all such uses are in conformance with Scenic resources Policy 3.2.4 and all other policies. The exemptions are limited to:

....

- d. *On-shore navigational aids (lights, radio beacons, weather stations) needed by the commercial fishing industry;*

.... (Big Sur LCP, policy 3.2.5(H), pp. 17-18, emphasis added)

As described above, the Big Sur LCP considers the visual quality of the Big Sur coast to be a significant resource and the LCP contains strong policies protecting the area's scenic values. The LCP identifies the critical viewshed to include areas visible from Highway 1. The existing, and the proposed replacement, tower is visible from Highway 1, and therefore, it affects the critical viewshed. In such circumstances, the LCP encourages re-siting or redesign of structures to bring them in conformance with the key visual policy of the LCP.

Additionally, the LCP places two provisions on the ability to replace an existing structure. First, the LCP requires consideration of less damaging on-site alternative acceptable to the landowner. Second, the LCP prevents the replaced structure from

As an alternative to the proposed project, the Coast Guard considered the reconstruction of a historic water tower to support its antenna. However, the Coast Guard determined that that alternative is not feasible, stating:

Replace the existing tower and equipment shack with an antenna in a reconstructed water tower. This alternative was suggested by the Department of Parks and Recreation to eliminate the need for a tower at the site and to conceal the antenna and supporting equipment. The water tower doesn't satisfy minimum height requirements. The presence of an obstruction around the antenna will interfere with the required unobstructed line of sight transmission. This alternative is not feasible due to operational requirements.

As described above, the water-tower alternative does not have sufficient height to reach the required distance offshore and provide sufficient unobstructed "line of sight" to the nearshore areas. Additionally, the water tower may, itself, obstruct the link between the other National Distress System towers. Therefore, the Commission agrees that this alternative is not feasible.

The Coast Guard also considered relocation of the tower to a different location within the Point Sur Light Station. The light station is on large rocky point known as "Moro Rock." The slopes of the rock are very steep and provide very few alternative locations for the tower. One possible alternative exists near the existing tower location. However, in its consistency determination, the Coast Guard rejects that alternative for the following reason:

Relocation of the tower to a site west of Moro Rock in an area closer to the beach along the sloping terrains of Moro Rock. This alternative would minimize the visual impact, but locating the NDS closer to the beach reduces the range of operation since lower elevation VHF-FM transmissions will be blocked by surrounding hills. A previous Navy tower was removed from this area because of continuous soil erosion. Poor soil conditions and resulting costs make this alternative unacceptable.

Besides the reasons cited above, this alternative site would also have visual impacts. The location of this alternative is highly visible from Highway 1 south of the rock when looking north. Therefore, this alternative would not reduce the impact on scenic resources.

Finally, the Coast Guard considered alternatives outside the light station. In response to Commission concerns regarding additional alternative analysis, the Coast Guard

However, the removal of the equipment shed will improved the visual resources from the Lighthouse facility.

In conclusion, the Commission finds that the existing tower represents a significant impact to highly scenic visual resources of Big Sur. Although the proposed project provides the Commission with an opportunity to restore a degraded viewshed in a manner consistent with both Section 30251 of the Coastal Act and with the Scenic Viewshed Policies of the Big Sur LCP, it is consistent with these policies because the project is the least damaging feasible alternative. Additionally, the project will slightly improve visual resources of the area by reducing the height of the tower and by removing an existing equipment shed. Therefore, the Commission finds that the project is consistent with the visual policies of the CCMP.

D. Recreational Resources. Section 30210 of the Coastal Act provides that:

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 30221 of the Coastal Act provides, in part, that:

Oceanfront land suitable for recreational use shall be protected for recreational use...

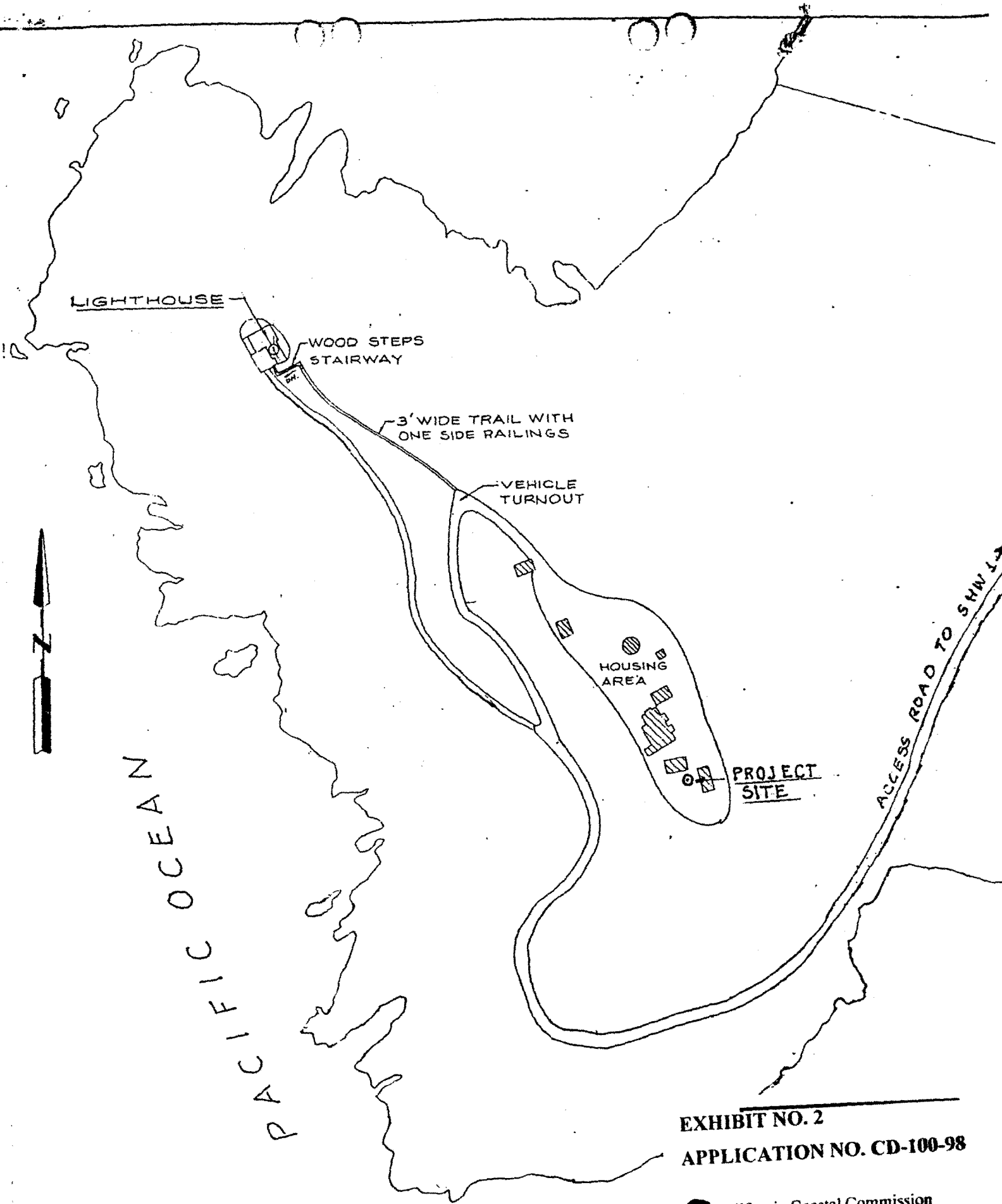
Section 30223 of the Coastal Act provides that:

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

The proposed project is located within the Point Sur Light Station. The area is partially owned and managed by California Department of Parks and Recreation, which provides and supports recreational use of the area. State Parks is also in the process of restoring historic resources of the area. Since the proposed tower will replace an existing tower, it will not have significant effects on existing recreational resources. As described in the visual resources section above, the proposed project is the least damaging feasible alternative, with the other alternatives representing potential impacts to maritime activities and oil spill cleanup. Therefore, significant improvements to recreational resources at Point Sur by relocating the tower elsewhere are not feasible. However, some improvements to recreational resources will result from permanent removal of the existing equipment shed, which also represents a source of visual degradation. In

received by the Coast Guard. The Coast Guard would consider any recommendations made by the US Fish and Wildlife Service to mitigate any potential effects the proposed action would have on any listed species or critical habitat, pursuant to the [Endangered Species] Act (Sec 30230).

Although U.S. Fish and Wildlife Service has not completed its review, the Commission believes that the project is consistent with the sensitive habitat policies of the CCMP. Most of the species identified by the Service are marine species and will not be affected by the tower replacement. Only the peregrine falcon are potentially found in the vicinity of the tower. However, an analysis of the site concluded that the peregrine falcon does not nest in the area. Therefore, the Commission finds that the proposed project is consistent with the sensitive resource policies of the CCMP.



PACIFIC OCEAN

LIGHTHOUSE

WOOD STEPS
STAIRWAY

3' WIDE TRAIL WITH
ONE SIDE RAILINGS

VEHICLE
TURNOUT

HOUSING
AREA

PROJECT
SITE

ACCESS ROAD TO SHW 1

EXHIBIT NO. 2
APPLICATION NO. CD-100-98

California Coastal Commission

California Coastal Commission

LOCATION MAP

NTS

District 11 - GROUP MONTEREY

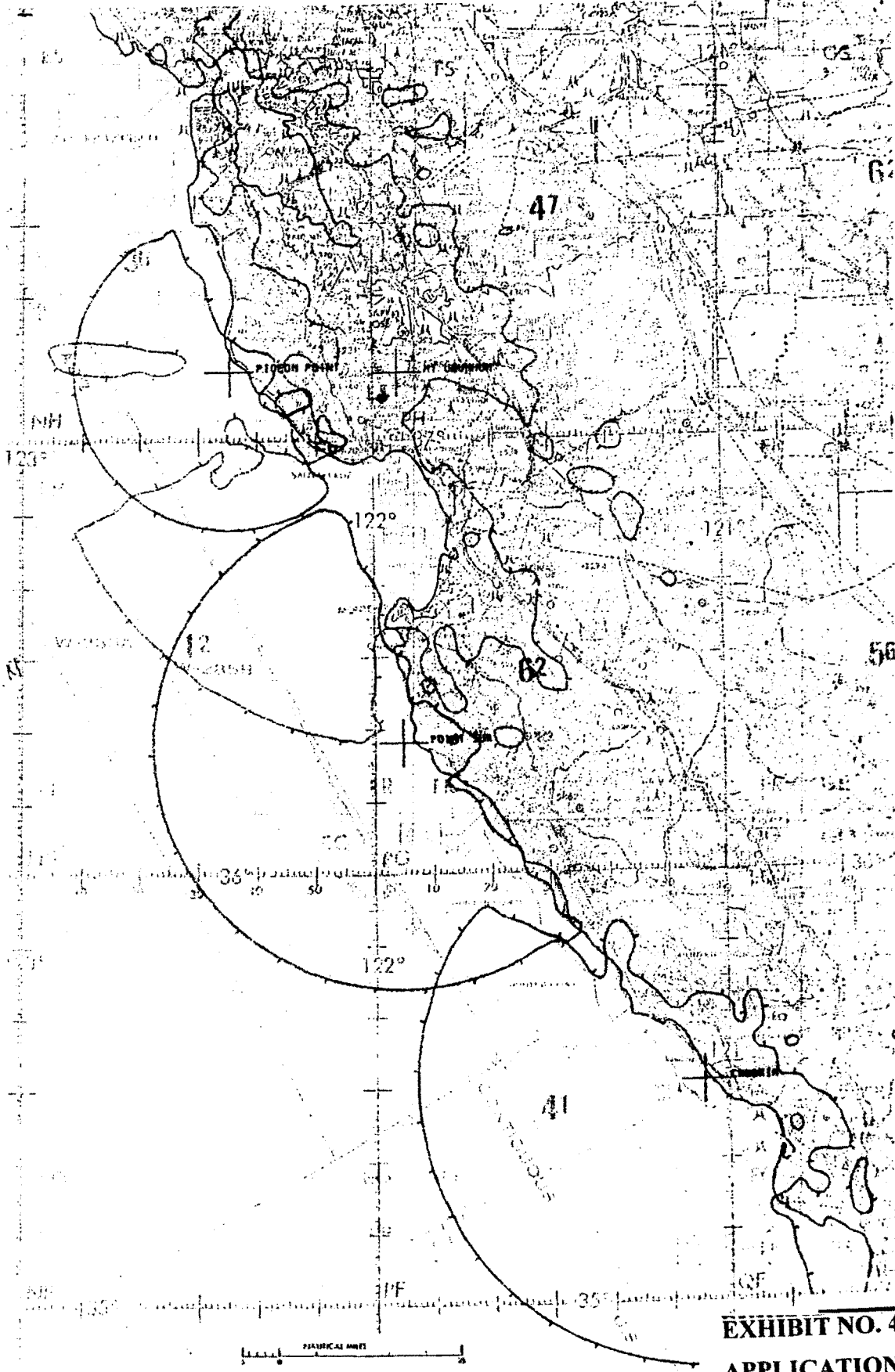


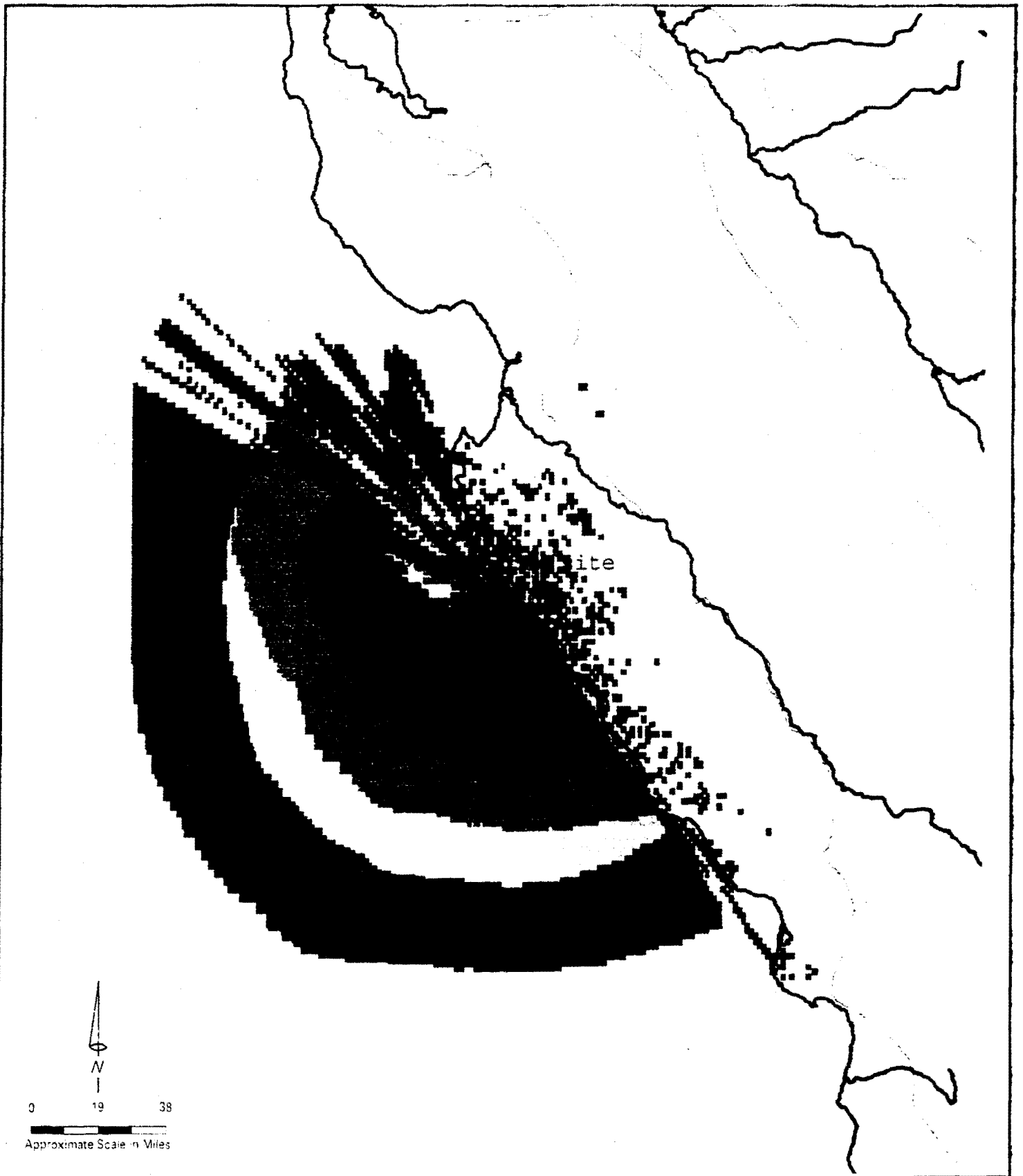


EXHIBIT NO. 4
APPLICATION NO. CD-100-98

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Signal Propagation Levels:

- 60.00 dBmW ■
- 70.00 dBmW ▣
- 80.00 dBmW □
- 90.00 dBmW ■
- 100.00 dBmW ■

Center Latitude: N36-13-50.00
Center Longitude: W121-45-50.00

*Area of Radio Coverage
from the Post Ranch Site*

EXHIBIT NO. 5

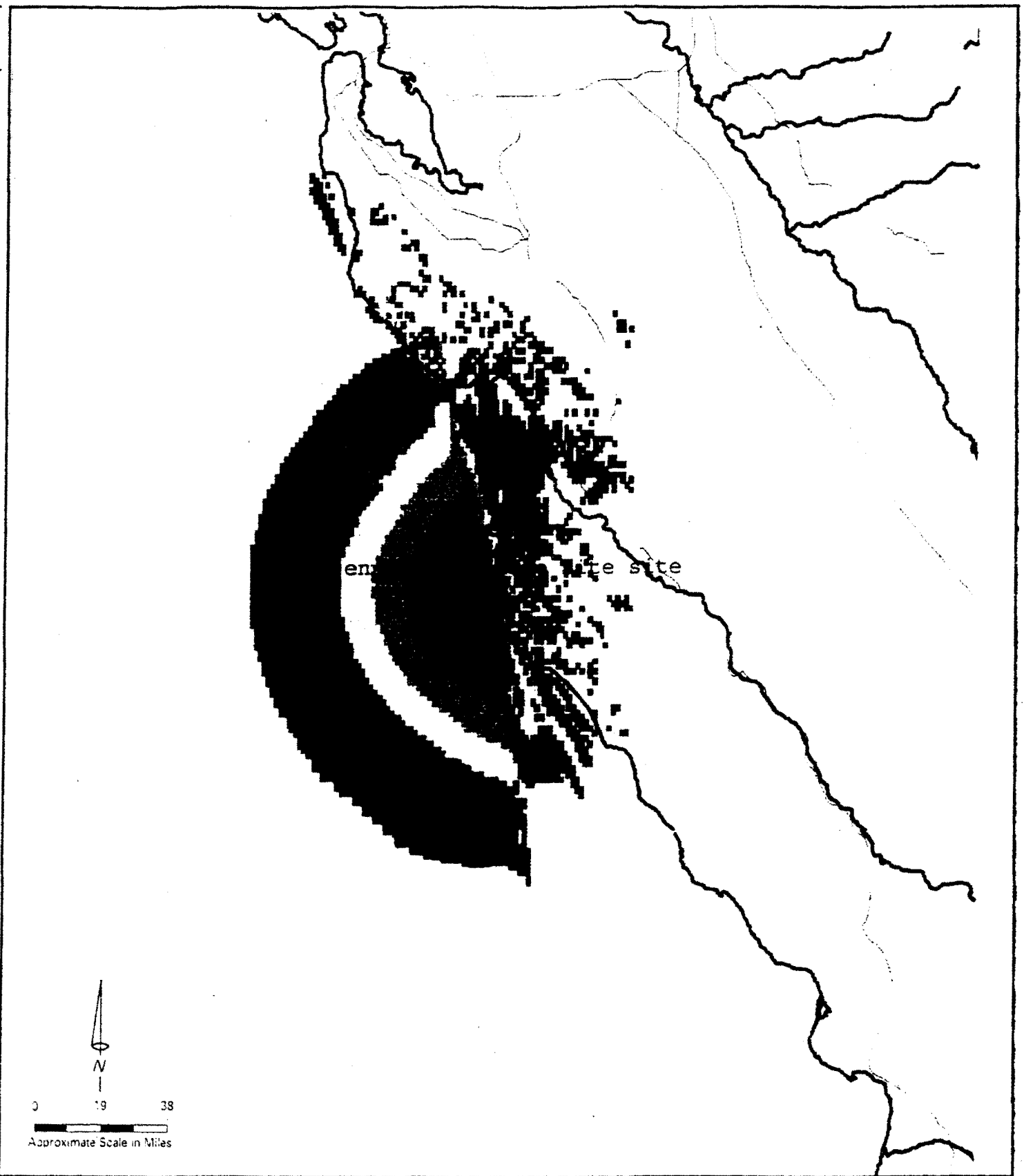
APPLICATION NO. CD-100-98

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Source: Tetra Tech, Inc.

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Signal Propagation Levels:

- 60.00 dBmW ■
- 70.00 dBmW ▒
- 80.00 dBmW □
- 90.00 dBmW ■
- 100.00 dBmW ■

Center Latitude: N36-24-36.00
 Center Longitude: W121-54-36.00



Source: Tetra Tech, Inc

*Area of Radio Coverage
 from the Glen Daven Site*

EXHIBIT NO. 5

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