

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 641 - 0142



Filed: 10/5/99
49th Day: 11/23/99
180th Day: 4/2/00
Staff: mb-VJK
Staff Report: 10/8/99
Hearing Date: 11/2-5/99

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 4-99-074

APPLICANT: Sprint PCS

PROJECT LOCATION: Rincon Island west of Mussel Shoals Community,
Ventura County.

PROJECT DESCRIPTION: Remove an existing 25-ft. high steel pole. Install a new 25-ft. high steel pole with two arrays of four antennas each and a one-story equipment shelter.

LOCAL APPROVALS RECEIVED: County of Ventura, letter from Keith Turner, Director, Planning Division, February 23, 1999.

SUBSTANTIVE FILE DOCUMENTS: Certified Local Coastal Program for Ventura County; California State Lands Commission, hearing agenda, September 3, 1999 and letters of May 27 and July 9, 1999; Coastal Development Permits A-4-VNT-97-068 (Pacific Bell Mobile Services) and 6-97-9 (Pacific Bell Mobile Services).

SUMMARY OF STAFF RECOMMENDATION

The proposed project is located on an artificial island constructed for petroleum production offshore of the Mussel Shoals residential community in the North Coast ("Rincon") area of Ventura County. The proposed development is similar in character to existing development and will not adversely affect visual quality if conditioned to require a neutral color compatible with the marine environment. Based on past Commission actions, a condition is also recommended which recognizes changes in technology and requires removal and restoration if the project is no longer needed. Staff recommends **approval** with Special Conditions addressing these issues.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, 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, is located between the sea and the first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions

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

III. **Special Conditions**

1. **Color Restriction**

The proposed structures approved pursuant to this permit shall be restricted and maintained to a neutral, non-glare color compatible with the surrounding marine environment (white tones are not acceptable). Prior to issuance of the coastal development permit, the applicant shall submit, for the review and approval of the Executive Director, a sample of the proposed color for the proposed structures.

2. **Future Redesign**

Prior to the issuance of the coastal development permit, the applicant shall submit a written agreement stating that where future technological advances would allow for reduced visual impacts resulting from the proposed communication facility, the applicant agrees to make those modifications which would reduce the visual impact of the proposed facilities. In addition, the applicant agrees that if in the future, the facility is no longer needed, the applicant agrees to abandon the facility and be responsible for the removal of all permanent structures, and restoration of the site consistent with the character of the surrounding area. Before performing any work in response to the requirements of this condition, the applicant shall contact the Executive Director of the California Coastal Commission to determine if an amendment to this coastal development permit is necessary.

IV. **Findings and Declarations**

The Commission hereby finds and declares:

1. **Project Description**

The proposal by Sprint PCS (formerly Cox PCS) is to remove an existing 25 ft. high steel pole and install a new 25 foot high steel pole with two arrays of four antennas each. The new pole is located approximately 20 ft. south of existing pole to be removed on Rincon Island west of the Mussel Shoals Community,

Ventura County. The proposed enclosed equipment shelter is single story and 8 ft. wide and 18 ft. long. Each antenna in the array is approximately ten inches wide and six feet high.

Rincon Island was constructed artificially for oil extraction purposes. The project lies within the retained jurisdiction of the Coastal Commission and is outside the area of the certified Local Coastal Program for Ventura County.

Rincon Island is under the jurisdiction of the State Lands Commission (SLC). The project was approved as a general lease that grants a right of way to use sovereign lands by the SLC at their September 3, 1999 meeting.

Although not within the coastal permit jurisdiction of Ventura County, the project was reviewed by the Director of the Planning Division, Keith Turner. His letter of February 23, 1999 cited earlier consideration of an onshore facility, the advantage visually of moving the project offshore, and his opinion that the project had no significant visual impacts because the project will be well hidden by the buildings and trees on the island and the distance offshore.

B. Visual Resources and Change in Future Technology

Section 3025I of the Coastal Act states that:

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. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The proposal, as noted above, includes the removal of an existing 25-foot high pole, installation of a new equipment shelter and a new 25-foot high steel pole with two arrays of four antennas each on Rincon Island west of the Mussel Shoals Community, Ventura County.

To assess any potential visual impacts of this project to the public, the Commission reviews the publicly accessible locations where the proposed development is visible, such as beaches, parks and trails. The Commission typically also examines the building site and the size of the structure.

The site is in a developed petroleum extraction facility with numerous vertical elements consisting of palm trees, buildings, tanks and oil rigs. The site is visible from the 101 Freeway southeast of the project site and the Coast Highway northeast of the project, as well as Mussel Shoals, an area used by the public for surfing and passive recreation. The transition from a highway to a grade separated Freeway occurs just to the south of the Mussel Shoals Community.

Staff conducted a site visit of the site and requested photos of the site from the major scenic routes of the highway and freeway. The photos show that a single story building and antenna of the mass and height proposed will be similar in character to development of structures and trees already found on Rincon Island. In comparison to an earlier proposal discussed with Commission staff, no building is proposed over one story in height. This will avoid any intrusion into the skyline, i.e. above the horizon line as viewed from nearby scenic routes.

The Commission is concerned with the cumulative visual impact of the project in relation to both views to and along the coast from the shore and the marine offshore environment. Bright or white tones could make the project increase in visibility in a manner not compatible with the surrounding area. To ensure that the design of the project will minimize any visual impacts to the maximum extent feasible, neutral non-glare colors are necessary that are suitable to the marine environment (white would not be an acceptable color). The Commission, therefore, finds it necessary to require approval with *Special Condition number one (1)*.

While the project as conditioned will not have a significant adverse impact on the visual quality of the area, the Commission is concerned that cumulatively the impacts of similar projects on Rincon Island could have adverse impacts on visual resources. As demand for such facilities increases, it is likely that other service providers will be interested in placing additional structures, antennas and equipment on Rincon Island and nearby onshore areas. There is a concern that scenic coastal areas will be encumbered visually by outdated and obsolete facilities.

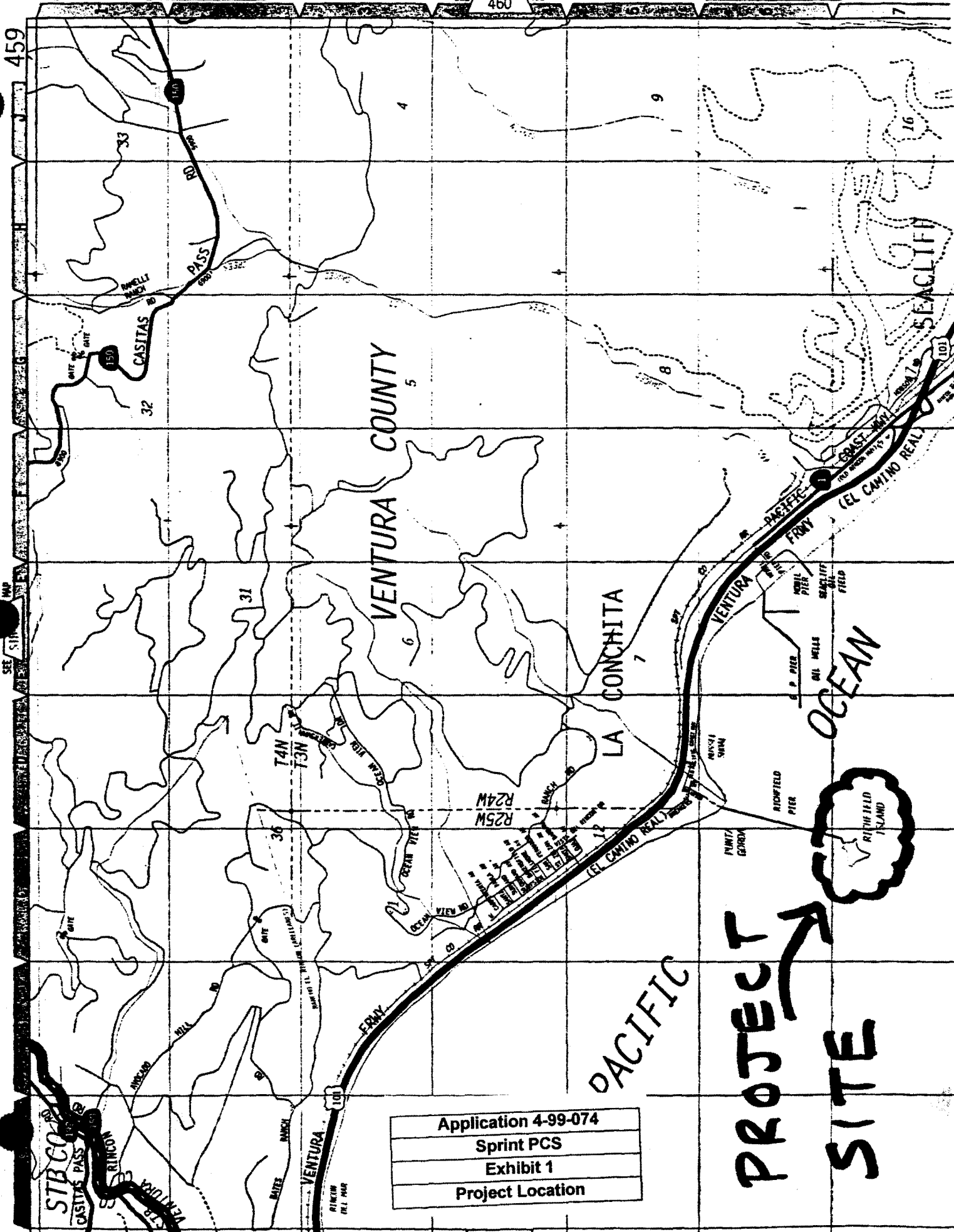
Consequently, *Special Condition number two (2)* is proposed as used by the Commission in past approval for similar projects. (See, for example, permit 6-97-9, Pacific Bell Mobile Services). This condition is necessary to ensure that the applicant agrees to modify the facility to reduce its size and or height in response to changes in technology and/or remove the facility if no longer necessary. The applicant would then be required to remove the structures and restore the site in a manner consistent with the surrounding area.

In summary, the Commission finds that the proposed project is consistent, as conditioned, with Section 30251 of the Coastal Act.

C. California Environmental Quality Act

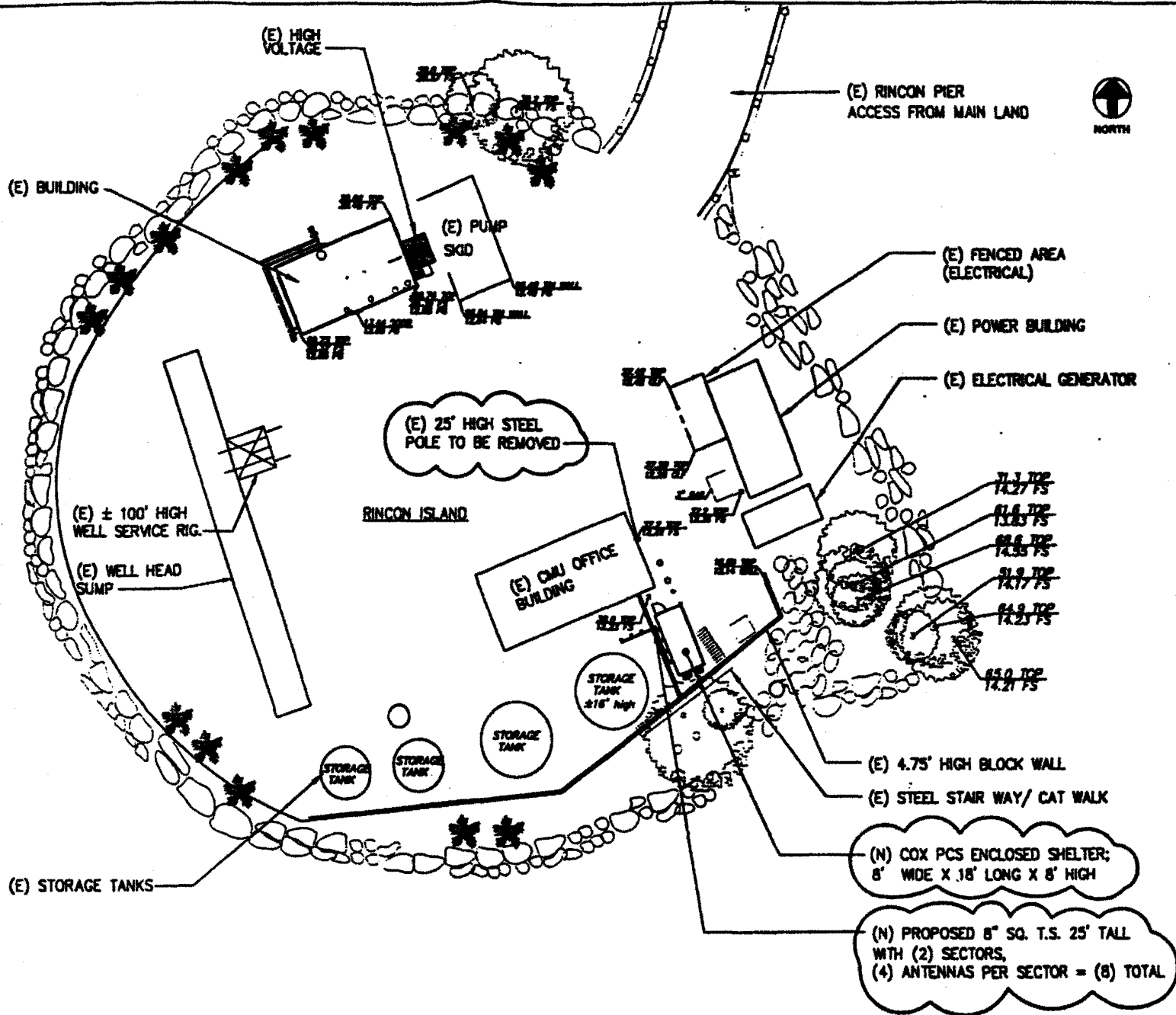
Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effects which the activity would have on the environment.

The proposed development would not cause significant, adverse environmental effects which would not be adequately mitigated by the conditions imposed by the Commission. Therefore, the proposed project, as conditioned, is found consistent with CEQA and with the policies of the Coastal Act.



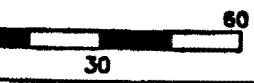
Application 4-99-074
Sprint PCS
Exhibit 1
Project Location

PROJECT SITE



Application 4-99-074
 Sprint PCS
 Exhibit 2
 Site Plan for Island/Project
 Location

PA



PROPOSED PCS FAC
 VU-009-C
 PUNTA GORDA
 RINCON ISLAND
 GENERAL SHELTER, SHELTER
 SHELTER, SHELTER
 SHELTER, SHELTER
 SHELTER, SHELTER

DATE: 6-5-02
 DRAWN BY: JEB
 CHECKED BY: -
 SHEETS

No.	DATE	DESCRIPTION
1	4/17/02	REVISED PER COMMENTS
2	11/1/02	REVISED PER COMMENTS
3	3/11/03	REVISED PER COMMENTS
4		
5		
6		



PROPOSED PCS FAC
 VU-009-C
 PUNTA GORDA
 RINCON ISLAND
 GENERAL SHELTER, SHELTER
 SHELTER, SHELTER
 SHELTER, SHELTER
 SHELTER, SHELTER

SITE PLAN SCALE: 1" = 30'-0" 1

PLOT PLAN
 SHEET NO. A-1

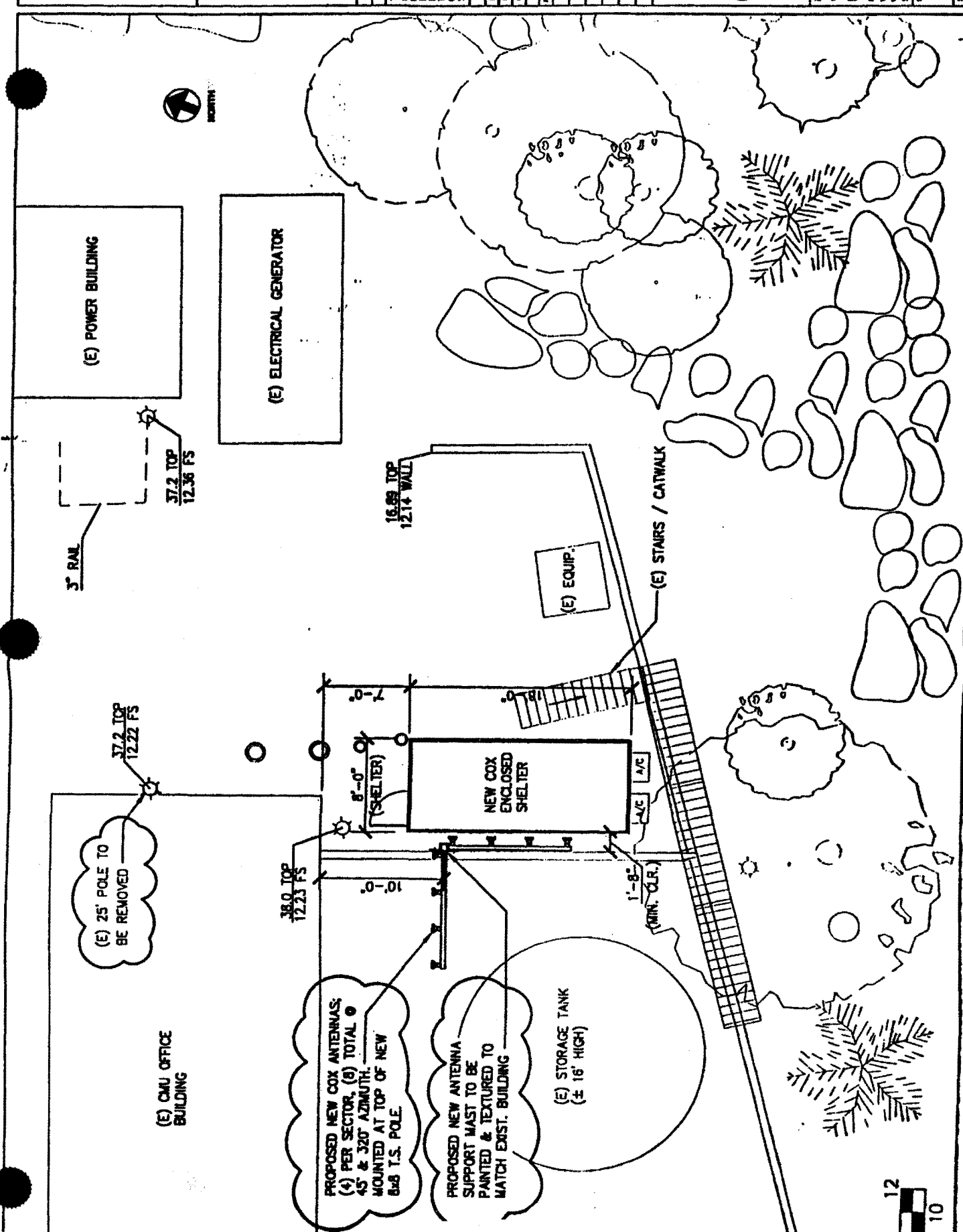
ONE NUMBER:
PROPOSED PROJECT:
THE INFORMATION
ON THIS SET OF
DRAWINGS IS
FOR YOUR USE
ONLY. ANY
REVISIONS
SHOULD BE
MADE TO THE
ORIGINAL SET
OF DRAWINGS.

NO.	DATE	BY	REVISION
1	1/27/06	WJ	ISSUED FOR PERMITS
2	1/27/06	WJ	ISSUED FOR PERMITS
3	2/17/06	WJ	ISSUED FOR PERMITS
4	2/17/06	WJ	ISSUED FOR PERMITS
5			
6			
7			



PROPOSED PROJECT:
VT-089-C
PUNTA COY
PROJECT NAME:
PUNTA COY
PROJECT NO.:
SCALE: 1/8" = 1'-0"
DATE: 1/27/06
DRAWN BY: WJ
CHECKED BY: WJ
ENLARGED SITE PLAN
PI
POST MARK

A-

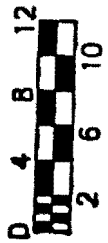


ENLARGED SITE PLAN

SCALE: 1/8" = 1'-0"

1

Application 4-99-074
Sprint PCS
Exhibit 3
Detail of Project Location





NO.	DATE	BY	CHKD BY	DESC.
1	11/14/01			ISSUED FOR PERMITS
2	11/14/01			ISSUED FOR PERMITS
3	11/14/01			ISSUED FOR PERMITS
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5	11/14/01			ISSUED FOR PERMITS
6	11/14/01			ISSUED FOR PERMITS

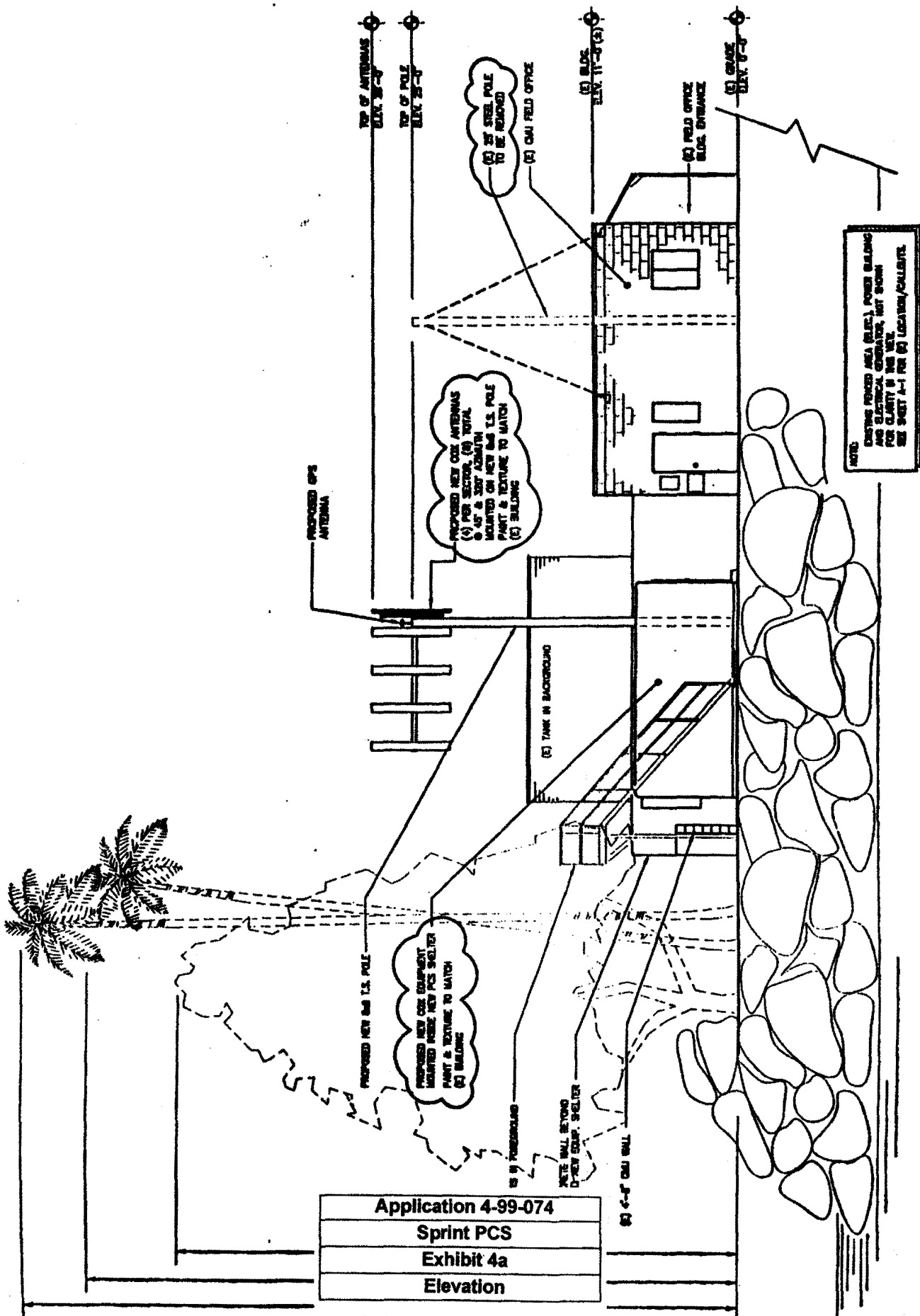


PROPOSED
 VR-088-C
 PURTA CC
 1000 S.W. 10TH ST.
 MIAMI, FL 33135
 EAST
 ELEVATION

A-



EAST ELEVATION 1

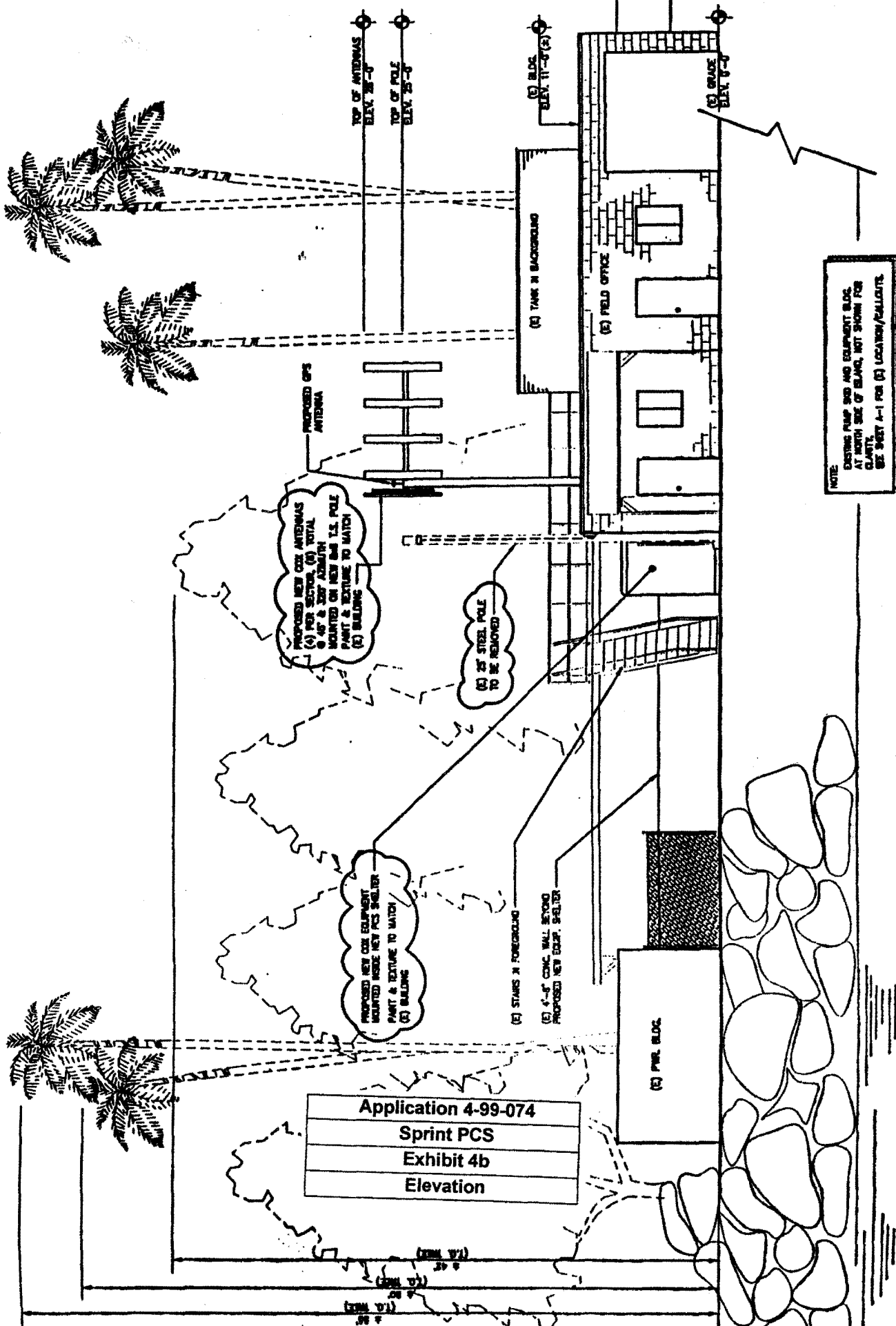


Application 4-99-074
 Sprint PCS
 Exhibit 4a
 Elevation

DATE: 8-5-	1	DATE	1
OWNER: P.C.S.	2	BY: P/M	2
CHECKED BY:	3	DATE: P/M	3
PROJECT NO:	4	BY: P/M	4
PROJECT NAME:	5	DATE: P/M	5
PROJECT LOCATION:	6	BY: P/M	6
PROJECT DESCRIPTION:	7	DATE: P/M	7
PROJECT DRAWING NO:	8	BY: P/M	8
PROJECT SHEET NO:	9	DATE: P/M	9
PROJECT TOTAL SHEETS:	10	BY: P/M	10
PROJECT TOTAL SHEETS:	11	DATE: P/M	11
PROJECT TOTAL SHEETS:	12	BY: P/M	12
PROJECT TOTAL SHEETS:	13	DATE: P/M	13
PROJECT TOTAL SHEETS:	14	BY: P/M	14
PROJECT TOTAL SHEETS:	15	DATE: P/M	15
PROJECT TOTAL SHEETS:	16	BY: P/M	16
PROJECT TOTAL SHEETS:	17	DATE: P/M	17
PROJECT TOTAL SHEETS:	18	BY: P/M	18
PROJECT TOTAL SHEETS:	19	DATE: P/M	19
PROJECT TOTAL SHEETS:	20	BY: P/M	20



PROPOSED: VIL-008- PUNTA C
 SECTION NAME: VIL-008- PUNTA C
 SHEET NO: 11
 TOTAL SHEETS: 20
 DATE: 8-5-08
 BY: P/M
 CHECKED BY: P/M
 PROJECT NO: 4-99-074
 PROJECT NAME: Sprint PCS
 PROJECT LOCATION: PUNTA C
 PROJECT DESCRIPTION: VIL-008- PUNTA C
 PROJECT DRAWING NO: 11
 PROJECT SHEET NO: 11
 PROJECT TOTAL SHEETS: 20



NOTE:
 EXISTING PUMP AND EQUIPMENT BLOC.
 AT NORTH SIDE OF BLDG, NOT SHOWN FOR
 CLARITY.
 SEE SHEET A-1 FOR (C) LOCATION/CALLOUTS.



SCALE
 1/8" = 1'-0"

NORTH ELEVATION

1

A