

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
 SAN FRANCISCO, CA 94105-2219
 VOICE AND TDD (415) 904-5200



Tu 12

DATE: February 17, 1999

TO: **COASTAL COMMISSIONERS
 AND INTERESTED PARTIES** **RECORD PACKET COPY**

FROM: **MARK DELAPLAINE, FEDERAL CONSISTENCY SUPERVISOR**

RE: **NEGATIVE DETERMINATIONS ISSUED BY THE EXECUTIVE
 DIRECTOR [Note: Executive Director decision letters are attached]**

PROJECT #:	NE-095-98
APPLICANT:	San Luis Obispo County
LOCATION:	Harmony Valley Road, San Luis Obispo County
PROJECT:	Repair of storm damaged road
ACTION:	No effect
ACTION DATE:	2/4/99

PROJECT #:	NE-154-98
APPLICANT:	San Luis Obispo County
LOCATION:	Turri Rd., San Luis Obispo County
PROJECT:	Repair of storm damaged road
ACTION:	Object
ACTION DATE:	2/9/99

PROJECT #:	NE-001-98
APPLICANT:	San Luis Obispo County
LOCATION:	Turri Road, San Luis Obispo County
PROJECT:	Repair of storm damaged road
ACTION:	No effect
ACTION DATE:	2/17/99

PROJECT #:	ND-004-99
APPLICANT:	Housing and Urban Development
LOCATION:	Big Lagoon Rancheria
PROJECT:	Rehabilitation and upgrading of community water system
ACTION:	Concur
ACTION DATE:	1/28/99

PROJECT #:	ND-007-99
APPLICANT:	Air Force
LOCATION:	Vandenberg Air Force Base
PROJECT:	Range Standardization and Automation Phase IIA Doppler Radar Weather Profilers Project
ACTION:	Concur
ACTION DATE:	2/2/99

PROJECT #:	ND-008-99
APPLICANT:	Corps of Engineers
LOCATION:	San Francisco
PROJECT:	Maintenance dredging, San Francisco Main Ship Channel
ACTION:	Concur
ACTION DATE:	2/16/99

CALIFORNIA COASTAL COMMISSION

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February 4, 1999

Jill Ogren
Engineering Dept.
San Luis Obispo County
County Government Center
Room 207
San Luis Obispo, CA 93408

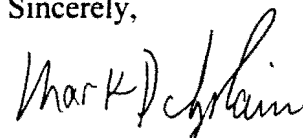
RE: NE-095-98, No-Effects Determination, County Road Repair, Harmony Valley Rd., Southeast of Cambria, San Luis Obispo County

Dear Ms. Ogren:

The Coastal Commission has received and reviewed the above-referenced no-effects determination. The proposed project includes repairs to Harmony Valley Rd., east of Highway 1 and southeast of Cambria. The proposed repairs include installing new drainage facilities, repairing the embankment, and restoring the roadway surface. The project site and immediate area does not contain environmentally sensitive habitat, and the County will implement erosion controls during construction.

The Coastal Commission staff concludes that the project will not significantly affect coastal resources. We, therefore, concur with the conclusion that the proposed activity does not require a consistency certification pursuant to 15 C.F.R. Section 930.50. If you have any questions, please contact Mark Delaplaine, federal consistency supervisor, at (415) 904-5289.

Sincerely,


(for) PETER M. DOUGLAS
Executive Director

cc: Santa Cruz Area Office
NOAA Assistant Administrator
Assistant General Counsel for Ocean Services
Department of Water Resources
Governor's Washington D.C. Office

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
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February 9, 1999

Jill Ogren
Engineering Department
San Luis Obispo County
County Government Center, Room 207
San Luis Obispo, CA 93408

RE: NE-154-98, No-Effects Determination for the repair of erosion damage to an existing road near Morro Bay, San Luis Obispo County

Dear Ms. Ogren:

The Coastal Commission has received and reviewed the above-referenced consistency submittal. The proposed project includes repair of Turri Road at mile post 2.1, San Luis Obispo County. Specifically, the project includes excavating the damaged asphalt-concrete and slope, rebuilding the slope, restoring the drainage facilities, installing rock slope protection, and replacing the asphalt-concrete.

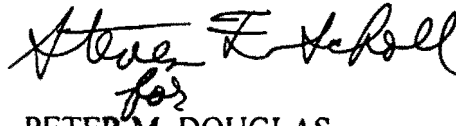
The project includes impacts to willow habitat, which is located adjacent to the road and is possibly part of a larger riparian habitat system. The water source for these plants is probably from road drainage or an underground seep. Additionally, the willows may support habitat for the southwest willow flycatcher, a federally listed endangered species. Although the County's biologist did not identify any flycatchers affected by this project, the biologists identified habitat for the bird at a site approximately 0.1 mile west of this project. Additionally, the Corps of Engineers requires authorization from the U.S. Fish and Wildlife Service before the County can begin construction. Finally, in its no-effects determination, the County states that it will mitigate for the project's impacts. However, the submittal does not include any description of the mitigation. Without that information, the Commission staff cannot assess the project's compliance with the Coastal Act mitigation requirements. Therefore, the Commission staff believes that the project will affect riparian and possibly endangered species habitat resources of the coastal zone.

The Coastal Commission staff concludes that the project will affect coastal resources. We, therefore, **disagree** with your conclusion that the proposed activity does not require a consistency certification pursuant to 15 C.F.R. Section 930.50. The Commission staff believes that the project requires submittal of a consistency certification. That certification should fully describe the project, its coastal zone impacts, and consistency with the policies of the Coastal

Act. In particular, the County should analyze the project for consistency with Sections 30233(a) and 30240(a) of the Coastal Act. Additionally, the County should fully describe the amount and quality of riparian habitat affected by the project and describe, in detail, the mitigation for that impact. Finally, the County should include a consultation letter from the U.S. Fish and Wildlife Service with its submittal.

If you have any questions, please contact James R. Raives of the Coastal Commission staff at (415) 904-5292.

Sincerely,

A handwritten signature in black ink that reads "Peter M. Douglas" with a stylized flourish at the end. Below the signature, the word "for" is written in a smaller, cursive script.

PETER M. DOUGLAS
Executive Director

cc: Central Coast Area Office
OCRM
NOAA Assistant Administrator
Assistant General Counsel for Ocean Services
Department of Water Resources
Governor's Washington D.C. Office
Tiffany Welch, Corps of Engineers

PMD/JRR

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February 17, 1999

Jill Ogren
San Luis Obispo County
Engineering Department
County Government Center, Room 207
San Luis Obispo, CA 93408

RE: **NE-001-99**, No-Effects Determination for the repair of damaged road at post mile 2.0 on Turri Road, near Morro Bay, San Luis Obispo County

Dear Ms. Ogren:

The Coastal Commission has received and reviewed the above-referenced consistency submittal. The proposed project includes repair of Turri Road at post mile 2.0. near Baywood Park, San Luis Obispo County. The repair involves excavating the damaged asphalt-concrete and slope, rebuilding the slope, and replacing the asphalt-concrete.

The County proposes to replace the damaged road within its existing footprint and will not change the size or capacity of the road. The project site is well away from the stream channel and no surface water is present within or adjacent to the proposed work area. There is riparian habitat near the project site. However, it is unlikely that the riparian forest will be directly impacted by the repair activities. Finally, the County will avoid sedimentation into the nearby stream by conducting the work during the dry season, using silt fencing and hay bales, and replanting disturbed vegetated areas.

In conclusion, the Coastal Commission staff agrees that the proposed project will not adversely affect coastal zone resources. We, therefore, agree with the conclusion that the proposed activity does not require a consistency certification pursuant to 15 C.F.R. Section 930.50. If you have any questions, please contact James R. Raives of the Coastal Commission staff at (415) 904-5292.

Sincerely,

Mark R. Douglas
(for) PETER M. DOUGLAS
Executive Director

cc: Central Coast Area Office
OCRM
NOAA Assistant Administrator
Assistant General Counsel for Ocean Services
Department of Water Resources
Governor's Washington D.C. Office
PMD/JRR

CALIFORNIA COASTAL COMMISSION45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
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January 28, 1999

Virgil Moorehead
Tribal Chairperson
Big Lagoon Rancheria
P.O. Box 3060
Trinidad, CA 95570

RE: ND-004-99 Negative Determination, Miscellaneous Repairs and Improvements, Big Lagoon Rancheria, Trinidad, Humboldt County

Dear Mr. Moorehead:

We have received your negative determination for miscellaneous repairs and improvements at Big Lagoon Rancheria adjacent to Big Lagoon in Humboldt County. The proposed project includes the rehabilitation and upgrading of an existing community water pump house, installation of a water filter system, upgrading and replacement of an existing storage tank, installation of a fire hydrant, improvements to two houses, and the installation of a cement pad for a garbage bin.

The development will occur in an existing developed area and will not affect coastal resources. Water quality will not be affected by the project. We therefore agree that this activity will not affect the coastal zone, and hereby concur with your negative determination made pursuant to Section 15 CFR 930.35(d) of the NOAA implementing regulations. Please contact Tania Pollak at (415) 904-5270 if you have any questions.

Sincerely,


Peter M. Douglas
Executive Directorcc: North Coast Area Office
NOAA
Assistant Counsel for Ocean Services
OCRM
California Department of Water Resources
Governors Washington D.C. Office

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
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February 2, 1999

Lt. Col. Scott W. Westfall
Commander, Environmental Flight
Department of the Air Force
30 CES/CEV
806 13th St., Suite 116
Vandenberg Air Force Base, California 93437-5242

RE: **ND-7-99** Negative Determination, Doppler Radar Weather Profilers, Vandenberg AFB,
Santa Barbara County

Dear Lt. Col. Westfall:

The Coastal Commission staff has received the above-referenced negative determination for the placement of radar profilers at various sites on Vandenberg AFB. The project would consist of: (1) installing a 50 MHz (megahertz) Weather Profiler southwest of the intersection of El Rancho and Umbra Roads; (2) installing 915 MHz weather profilers and related equipment at five sites (Launch Facility (LF) 03, LF 06, Space Launch Complex-2 (SLC-2), SLC-4, and an abandoned Diosa Road borrow site off Honda Ridge Rd.); and (3) installing a mobile command transmitter, with telemetry and other ancillary equipment, at the Diosa Road borrow area. The project sites would be near existing disturbed areas and do not contain any environmentally sensitive habitat. Any vegetation clearing will occur outside bird breeding and nesting seasons. Biological monitors will be present during construction, and any native vegetation removed will be restored or mitigated. The sites are not visible from publicly accessible locations. Cultural resource impacts have been avoided.

We agree that the project will not affect coastal resources, and, therefore, concur with your negative determination made pursuant to Section 15 CFR 930.35(d) of the NOAA implementing regulations. Please contact Mark Delaplaine at (415) 904-5289 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Mark Delaplaine".

(for) PETER M. DOUGLAS
Executive Director

cc: Ventura Area Office
NOAA Assistant Administrator
Assistant General Counsel Ocean Services
OCRM
Department of Water Resources

CALIFORNIA COASTAL COMMISSION

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February 16, 1999

Peter LaCivita
San Francisco District, Corps of Engineers
Planning Division
333 Market Street
San Francisco, CA 94105-2197

Attn: Chris Eng

RE: **ND-008-99**, Negative Determination for maintenance dredging with nearshore disposal, main ship channel into San Francisco Bay.

Dear Mr. LaCivita:

The Coastal Commission has received the above-referenced negative determination for the maintenance dredging of the San Francisco Bay main ship channel, with disposal at the historically used San Francisco Bar Dredged Material Disposal Site. This site, named SF-8, is located 2.8 miles offshore (west) of the Point Lobos/Cliff House area in northwestern San Francisco. The dredging quantity would be approximately 600,000 cu. yds. Dredging would commence in early April 1999 and would take about 25 days to complete. We have concurred with numerous similar dredging projects and use of this site for disposal of the predominantly sandy material, in consistency determination CD-2-87-A and negative determinations ND-12-88, ND-4-93, ND-4-95, ND-26-96, ND-13-97, and, most recently, ND-10-98.

Under the federal consistency regulations (Section 930.35(d)), a negative determination can be submitted for an activity "which is the same as or similar to activities for which consistency determinations have been prepared in the past." This project is similar to the above-referenced consistency determination and negative determinations with which we previously concurred.

In conclusion, the Coastal Commission staff **agrees** that the proposed project will not adversely affect coastal zone resources. We, therefore, **concur** with the negative determination made pursuant to 15 C.F.R. Section 930.35(d). If you have any questions, please contact James R. Raives of the Coastal Commission staff at (415) 904-5292.

Sincerely,

Peter M. Douglas
(for) PETER M. DOUGLAS
Executive Director

ND-8-99
February 16, 1999
Page 2

cc: North Coast Area Office
OCRM
NOAA Assistant Administrator
Assistant General Counsel for Ocean Services
Department of Water Resources
Governor's Washington D.C. Office

PMD/JRR

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STAFF RECOMMENDATIONON CONSISTENCY DETERMINATION

Consistency Determination No.	CD-6-99
Staff:	TNP-SF
File Date:	2/1/1999
45th Day:	3/17/1999
60th Day:	4/1/1999
Commission Meeting:	3/9-12/1999

Federal Agency: U. S. Air Force

Development

Location: Vandenberg Air Force Base, Santa Barbara County (Exhibit 1).

Development

Description: Launch program for small, solid and liquid propellant theater ballistic missiles and sounding rockets from mobile launchers on various launch sites on Vandenberg Air Force Base (Exhibits 2-6).

SUBSTANTIVE FILE DOCUMENTS:

1. Consistency Determination CD-6-98 (Air Force).
2. U.S. Fish and Wildlife Service Biological Opinion for the Theater Missile Targets Program, Vandenberg Air Force Base, Santa Barbara County, California, (1-8-98-F-24), May 27, 1998.
3. Final Theater Missile Targets Programmatic Environmental Assessment, Vandenberg Air Force Base, December 1997.

STAFF NOTE: At its September, 1998 meeting, the Commission objected to CD-6-98 (Theater Ballistic Missile Launch Program at Vandenberg Air Force Base), due to impacts on sensitive species from the use of one specific launch site known as 576E. Although the overall program under this consistency

determination is predominantly the same as that reviewed under CD-6-99, the Air Force has removed launch site 576E from the program. If any launches require the use of site 576E, the Air Force will submit a separate consistency determination for Commission consideration.

Executive Summary

On February 1, 1998, the Commission received a consistency determination from the Air Force for the Theater Ballistic Missile (TBM) Targets Program at Vandenberg Air Force Base. The program consists of launching small theater ballistic missiles and sounding rockets from mobile launchers on several launch sites on Vandenberg Air Force Base. In addition, larger target missiles will be launched from a rail launcher. The proposed launch program will not require any construction of support facilities; the rail launcher will be located on an existing concrete pad or in areas already graded or graveled. The Air Force proposes 30 launches per year, with an average of five launches every two months. Up to five launches could occur in a three day period for a particular exercise.

The proposal raises issues concerning sensitive species and public access opportunities. Vandenberg Air Force Base supports a wide range of sensitive species, including a number listed as threatened and endangered under the Endangered Species Act. Many of these species (Exhibits 7-8 & 12) are found at, or adjacent to, the proposed launch sites. It is unlikely that the Air Force can time its launches to avoid impacts to all sensitive species, particularly since different species' breeding and nesting seasons span much of the year. The Air Force has stated that the proposed project will not have a significant impact on sensitive resources. Missile launches will likely produce a startle response in many species, whereby individuals leave the location. However, missile launches on Vandenberg Air Force Base have been occurring for many years. The Air Force has stated that based on previous monitoring of missile launches, this startle response is temporary and does not lead to significant impacts, even during breeding and/or nesting seasons. Furthermore, the Air Force has completed its consultation with the U.S. Fish and Wildlife Service concerning the habitat effects from the program, which has led to incorporation of mitigation measures designed to avoid any jeopardy to threatened and endangered species. Further, the Air Force has agreed to remove the most sensitive launch site (576E) from this launch program to further reduce impacts on sensitive species. Based on these commitments, the project is consistent with the environmentally sensitive habitat policies (Sections 30240) of the Coastal Act.

The proposal also raises public access and recreation issues. While the Air Force may need to close beaches during some of the launches, these closures will be limited to a maximum of five closures per year under this program, and will be for no more than 48 hours before the launch. The Coastal Act acknowledges the need to balance public access opportunities with military needs and public safety. Under previous consistency determinations, the Commission has authorized limited, temporary beach closures when necessary for public safety during military air launches. The project may also temporarily restrict fishing and diving opportunities in the area during a launch. To minimize the impacts to access and recreation, the Air Force has committed to avoid weekend launches whenever possible and to minimize the number of launches during the prime commercial fishing season. With these commitments and a maximum of five beach closures per year from the program, the project is consistent with the public access and recreation policies (Sections 30210-30212) of the Coastal Act. The project is also consistent with the air quality policies (Sections 30253 and 30414) of the Coastal Act.

Staff Summary and Recommendation:

I. Staff Summary:

A. Project Description: The Air Force proposes implementation of a Theater Ballistic Missile Targets program at Vandenberg Air Force Base in western Santa Barbara County. The program consists of the launching of small theater ballistic missiles and sounding rockets from mobile launchers on several launch sites on Vandenberg Air Force Base (Exhibits 2-6). In addition, larger target missiles will be launched from a rail launcher. The Air Force states the launch capabilities are needed to allow Vandenberg AFB to support Navy, Air Force, and Army operations in the western test range (Exhibit 11). The proposed launch program will not require any construction of support facilities. The rail launcher will be located on an existing concrete pad or in areas already graded or graveled. The Air Force proposes 30 launches per year, with an average of five launches every two months. Up to five launches could occur in a three day period for a particular exercise. The exercises would include intercepts by defensive missiles of the launched rockets over open ocean areas. Potential launch sites occur in both northern and southern Vandenberg Air Force Base (Exhibit 1); the 18 sites have been grouped into five general areas, three in north Vandenberg (Exhibit 2) and two in South Vandenberg (Exhibit 3).

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. The LCP for Santa Barbara County has been incorporated into the CCMP.

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

II. Staff Recommendation:

The staff recommends that the Commission adopt the following motion:

MOTION. I move that the Commission concur with the Air Force's 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:

Concurrence

The Commission hereby **concurs** with the consistency determination made by the Air Force for the proposed project, finding that the project is consistent to the maximum extent practicable with the enforceable policies of the California Coastal Management Program (CCMP).

III. Findings and Declarations:

The Commission finds and declares as follows:

A. Environmentally Sensitive Habitat and Marine Resources:

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 Air Force proposes up to 30 missile launches a year from five possible areas of the base; each location has a variety of sensitive plant and animal species which may be affected by the proposed project (Exhibit 12), including: the tidewater goby, California red-legged frog, Western snowy plover, California brown pelican, California least tern, and southwestern willow flycatcher (Exhibit 7). Since the proposed launches are to be conducted from the coastal areas of Vandenberg Air Force Base and over the Pacific Ocean, a number of marine mammals may also be affected by the proposed project, including the Northern fur seal, Northern elephant seal, Pacific harbor seal, California sea lion, and Southern sea otter. The potential for impacts to these species can come from noise impacts, water pollution from missile emissions, and from falling debris, as described below.

Noise: The startle effect from a launch is one of the main concerns with the proposed project, particularly for breeding and/or roosting species. Since launches are proposed to occur throughout the year, and given the variety of species with different breeding/roosting seasons, it is unlikely that Vandenberg Air Force Base can schedule launches to completely avoid all nesting and/or roosting seasons (Exhibit 9). The sudden launch noise can cause species to leave their nesting and breeding areas, leaving young vulnerable to trampling, predation, and abandonment.

Debris: A second concern for wildlife is the possibility of falling debris from the missile hitting a species. Missiles will be launched and intercepted over the Pacific Ocean. In its Environmental

Assessment (EA), the Air Force states that "[d]ebris impacts from normal launch activities are not expected to impact terrestrial or aquatic wildlife species." Based on previous analysis of impacts from falling debris on gray whales, the Air Force concludes that the likelihood of a spent missile hitting an individual species is remote.

Impacts from Emissions: Missile launches can result in emissions of hydrochloric acid and aluminum to surface waters. EPA has determined the form of aluminum deposited from launches is nontoxic. The Air Force states that both the amount of aluminum deposited in surface waters and the amount of hydrochloric acid resulting from rain after a launch would be in small quantities and have little effect. Impacts of air emissions on humans from launches is considered on page 7 below.

To address these concerns, the Air Force states in its EA that:

the intermittent launches associated with the proposed project are not expected to substantially impact wildlife since the actual duration and frequency of the effect are expected to be low. ... TBM launches would be of a magnitude and frequency similar or less than that occurring at current active launch sites. ... Moreover, the use of multiple launch sites and mobile launchers would provide opportunities to reduce the likelihood of adverse effects during breeding and pupping seasons by allowing selection of other available sites, if necessary, thus avoiding certain species. In addition, personnel would be instructed to refrain from approaching marine mammal haulout areas and avian nesting and roosting sites.

Although the Air Force cannot commit to no launches from a site during sensitive species' breeding or nesting periods, from discussions with the Air Force, its intent is to plan launches from the site with the least environmental impact. Consideration of sensitive species will be one factor in considering which launch site to use for each test. In addition, the Air Force has coordinated with both the National Marine Fisheries Service (NMFS) and with the U.S. Fish and Wildlife Service (F&WS) to address the potential impacts from noise. Based on both these agencies' requests, the Air Force has agreed to monitor the first launch of each missile type to determine the reaction from sensitive species present. This monitoring will help ensure that if impacts are significant from a launch, future mitigation can be considered. Based on monitoring that has been ongoing at Vandenberg AFB, the Air Force has stated to the Commission staff that the impacts from existing missile launches show a minimal impact; species are startled and leave their location, but return. According to the Air Force, monitoring during pinniped pupping season has also shown no effect from launches. This past monitoring has been with larger missiles. In addition, the Air Force has agreed to supply the Commission staff with copies of all monitoring reports associated with the program TBM Program. With the commitment to monitor the first launch of each missile type, and given that the proposed launches use missiles that are smaller than launches currently occurring on Vandenberg, NMFS has agreed with the Air Force that the expected impacts from the proposed project on species subject to its authority would be minimal.

The U.S. Fish and Wildlife Service has expressed a greater level of concern over species subject to its authority. The Fish and Wildlife Service has completed a biological opinion requesting additional mitigation measures. Some of these measures were addressed in the Air Force's EA, which committed to: (1) avoiding overflights over Points Arguello and Pedernales, if possible; and (2) avoiding overflights over any islands off the coast of California. In addition, the Fish and Wildlife Service required restricting launches from Launch Site 576E (south of Purisma Point (Exhibits 2 & 11)) to a three month period between October 1 through December 31, but requested that the site not be used at all due to the sensitivity of species in the area and the cumulative impacts of various launch programs on those species, including cumulative effects on wintering snowy plovers, pelicans (especially nighttime use), and sea

otters (especially where rearing pups are present). At the request of the Commission, the Air Force has agreed to remove Launch Site 576E from the proposed program.

Finally, the Fish and Wildlife Service is concerned with the impacts from night launches on roosting species. At the request of the Commission staff, the Air Force also stated that night launches will be conducted only when absolutely necessary. The Air Force states:

First, TMD [i.e., the Air Force] will conduct night launches only when necessitated by unusual circumstances or mission requirements. Whenever possible, prior notification of a night launch will be provided California Coastal Commission (CCC) staff.

With these commitments, the Commission concludes that sensitive wildlife species will be protected and that the project is consistent with the environmentally sensitive habitat and water quality policies (Sections 30240 and 30231) of the Coastal Act.

B. Public Access and Recreation: 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.*

Sections 30234 and 30234.5 of the Coastal Act protect commercial and recreational fishing. Section 30234.5 states:

The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.

Public access opportunities along the Santa Barbara County coast from Gaviotta north are highly limited. The shoreline adjacent to and along Vandenberg Air Force Base provides some of the few coastal access points between Gaviotta and Point Sal. Access points include Point Sal State Park, Ocean Beach County Park, Wall Beach, and Jalama Beach County Park (Exhibits 7-8). The Air Force also allows limited weekend and holiday access to Seal Beach for surf fishing. The state and county beaches are also popular for surf fishing. In addition, recreational trapping and divers operate in the shallower waters near the shore and commercial fishing activities occur off the coast of Vandenberg from October to January.

During a launch, Vandenberg may need to close beaches for public safety reasons. Under an agreement between Santa Barbara County and Vandenberg Air Force Base, these beaches can be closed not more than 48 hours before a missile launch. These closures currently occur an estimated 15 times a year, with, at most, two of the beaches closed simultaneously. The proposed project may also require beach closures prior to and during a launch. Although the Commission has had significant concerns

about public beach closures in this area, it also has generally agreed that beach closures are a necessary part of the launching activities at Vandenberg.

The project may also affect fishing and diving opportunities. Areas of the Pacific Ocean adjacent to the launch pad could be cleared up to five times every two months. This clearance would be required for approximately one hour. The Air Force has committed to providing adequate prior notice to all fishing interests, and the Air Force's EA notes that with advance notice, fishing boats can schedule trips to avoid the area. Thus, recreational fishing impacts would be minor and temporary, and the Commission notes that in reviewing past launch activities and programs, the Commission's access and recreation concerns have been focused on minimizing beach closures.

To reduce the impacts on public access from the Theater Ballistic Missile program, the Air Force has committed to the following measures:

1. Jalama State Beach will not be closed for launches under this program;
2. a maximum of five closures per year will occur;
3. the Air Force will avoid launches on weekends and holiday weekends if at all possible; and
4. the Air Force will minimize the number of launches during the commercial fishing season (October – July).

With these commitments, the Commission concludes that due to the temporary nature of beach closures and fishing and diving restrictions, the proposed program is consistent with the public access and recreation policies (Sections 30210-30212) and the commercial and recreational fishing policies (Sections 30234 and 30234.5) of the Coastal Act.

C. 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.

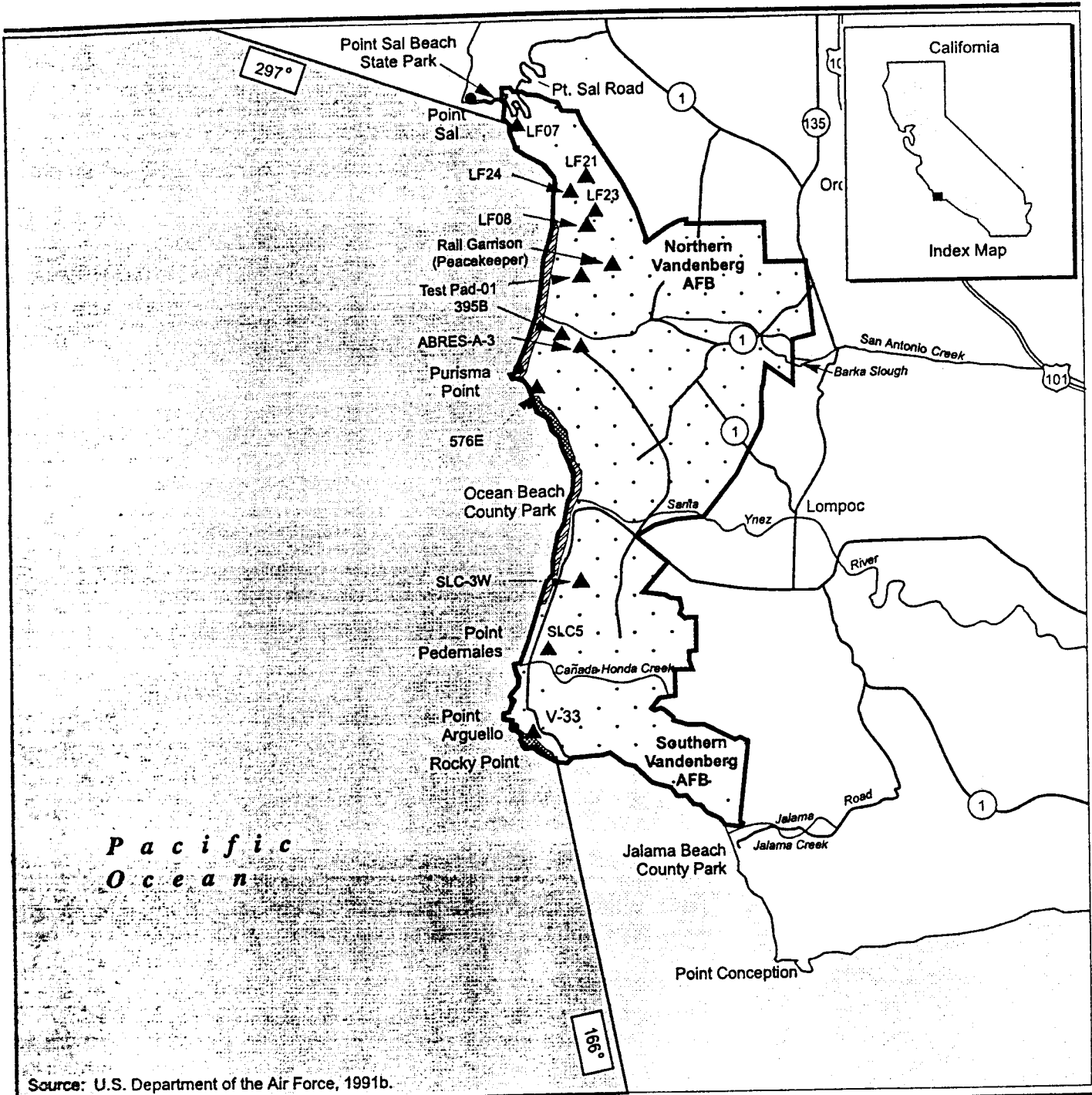
Vandenberg Air Force Base is in a nonattainment area for ozone and inhalable particulate matter. The EA for the proposed project states:

Launch preparation and support activities could potentially have an impact on air quality at Vandenberg AFB, and would likely require air quality permits and associated mandated offsets. All emissions would be regulated in accordance with the two MOAs between Vandenberg AFB and the SBCAPCD [Santa Barbara County Air Pollution Control District].

The Air Force has determined that emissions caused by the proposed project are below the mandated de minimis thresholds, and has therefore issued a finding of presumed conformity with the state






implementation plan with regards to air quality. The Air Force states in its EA that its analysis of impacts to air quality was coordinated with SBCAPCD.

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 Air Force will also comply with the Coastal Act. Based on the Air Force's conclusions regarding emissions, the Commission finds the proposed project consistent with Section 30253 of the Coastal Act.



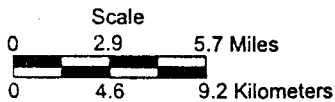
Source: U.S. Department of the Air Force, 1991b.

EXPLANATION


-  Nesting Location of California Least Tern/ Western Snowy Plover
-  Launch Trajectory Azimuth
-  Haulout Location of California Sea Lion, Northern Elephant Seal, and Harbor Seal
-  Angle of Azimuth
-  Candidate Launch Site

Combined Target Launch Azimuths, Vandenberg, AFB

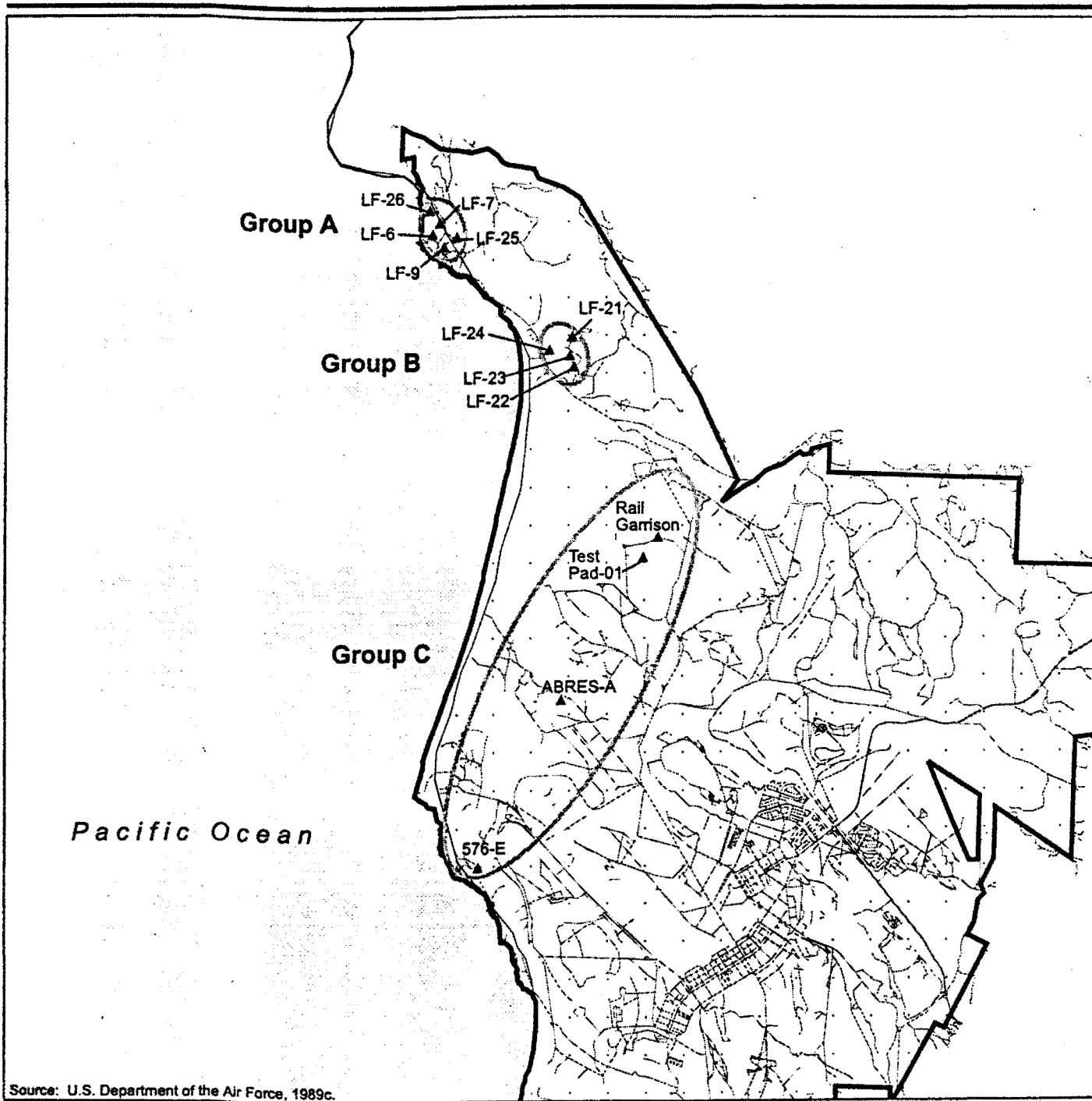
Western Range Area



Figure

EXHIBIT NO.	1
APPLICATION NO.	
	CD-6-99
 California Coastal Commission	

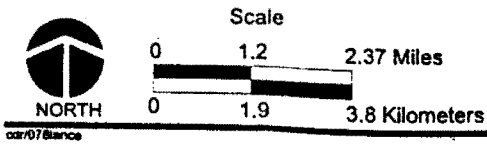
TBM Targets EA



EXPLANATION

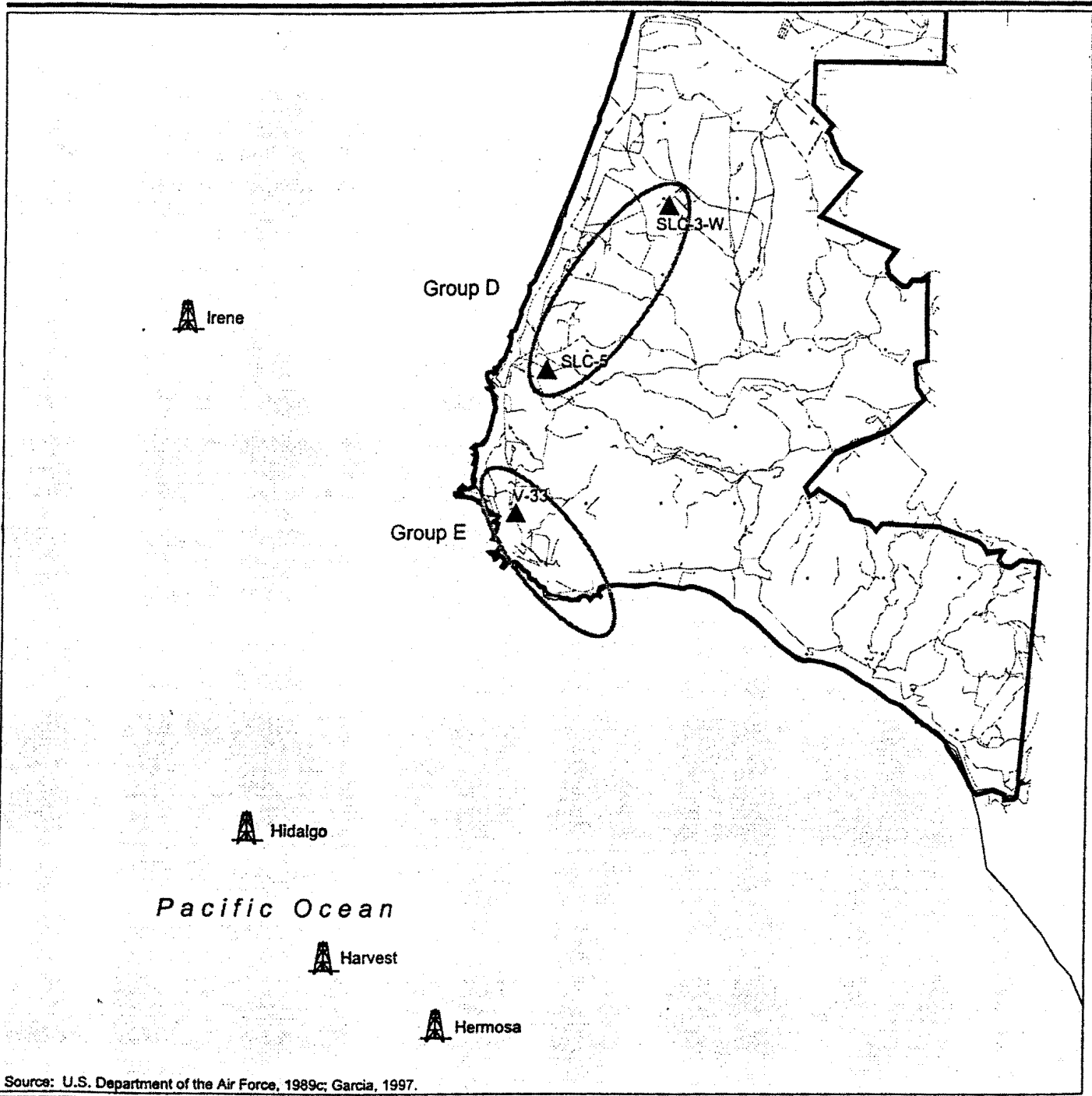
▲ Candidate Launch Site

Target Launch Site Groups



Northern Va
 Figure 2-

EXHIBIT NO.	2
APPLICATION NO.	
CD-6-99	
California Coastal Commission	

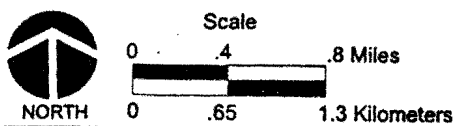


Source: U.S. Department of the Air Force, 1989c; Garcia, 1997.

EXPLANATION

- ▲ Candidate Launch Site
- ▲ Off-shore Oil Rig Platform

Target Launch Site Groups



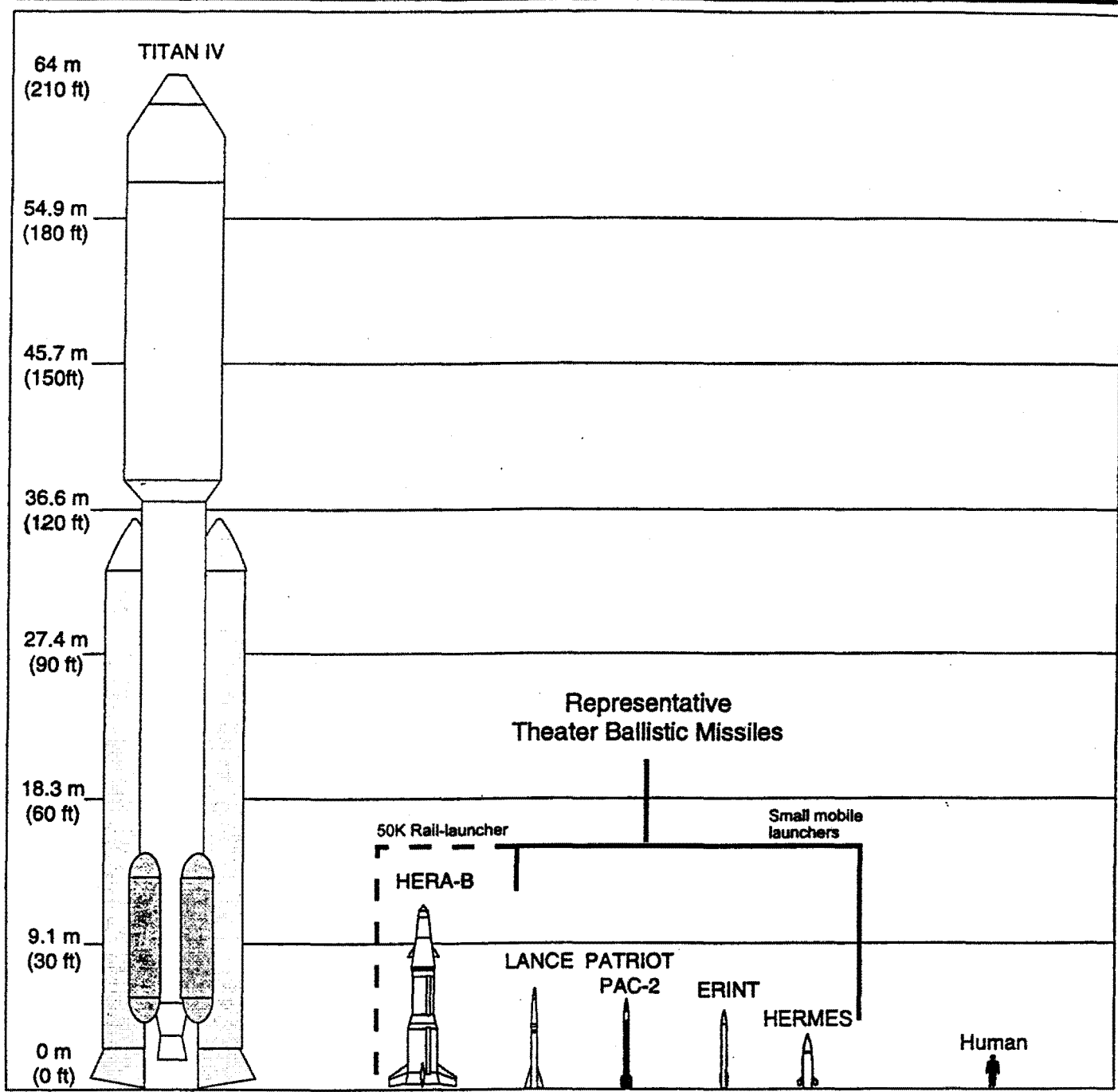
NORTH

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TBM Targets EA

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EXHIBIT NO.	3
APPLICATION NO.	
CD-6-99	
California Coastal Commission	



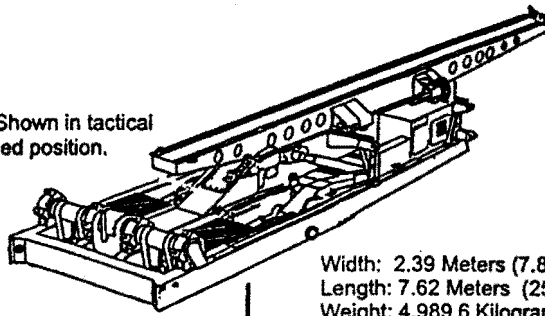
Source: U.S. Army Space and Strategic Defense Command, Test and Evaluation Office, 1995.

Theater Ballistic Missile Target Vehicle Comparison

Figure :

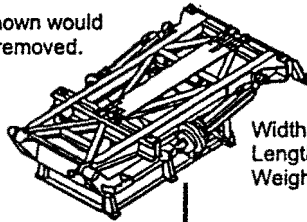
EXHIBIT NO.	4
APPLICATION NO.	
CD-6-99	
California Coastal Commission	

Launcher Portion - Shown in tactical configuration. Stowed position.



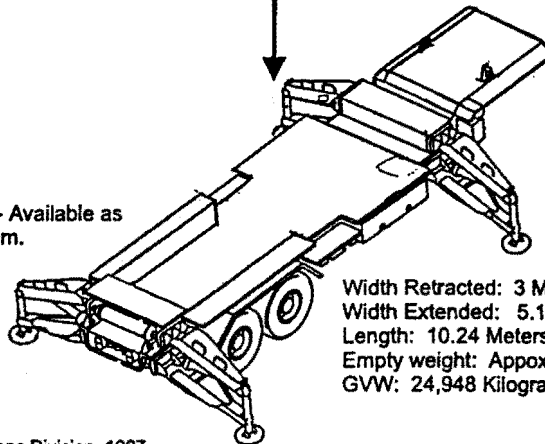
Width: 2.39 Meters (7.83 Feet)
Length: 7.62 Meters (25 Feet)
Weight: 4,989.6 Kilograms (11,000 Pounds)
Capacity: 5,400-6,800 Kilograms (12,000-15,000 Pounds)

Azimuth Turntable - Unit shown would have the elevation portion removed.



Width: 2.44 Meters (8 Feet)
Length: 4.27 Meters (14 Feet)
Weight: 3,175 Kilograms (7,000 Pounds)

All terrain carrier - Available as standard stock item.



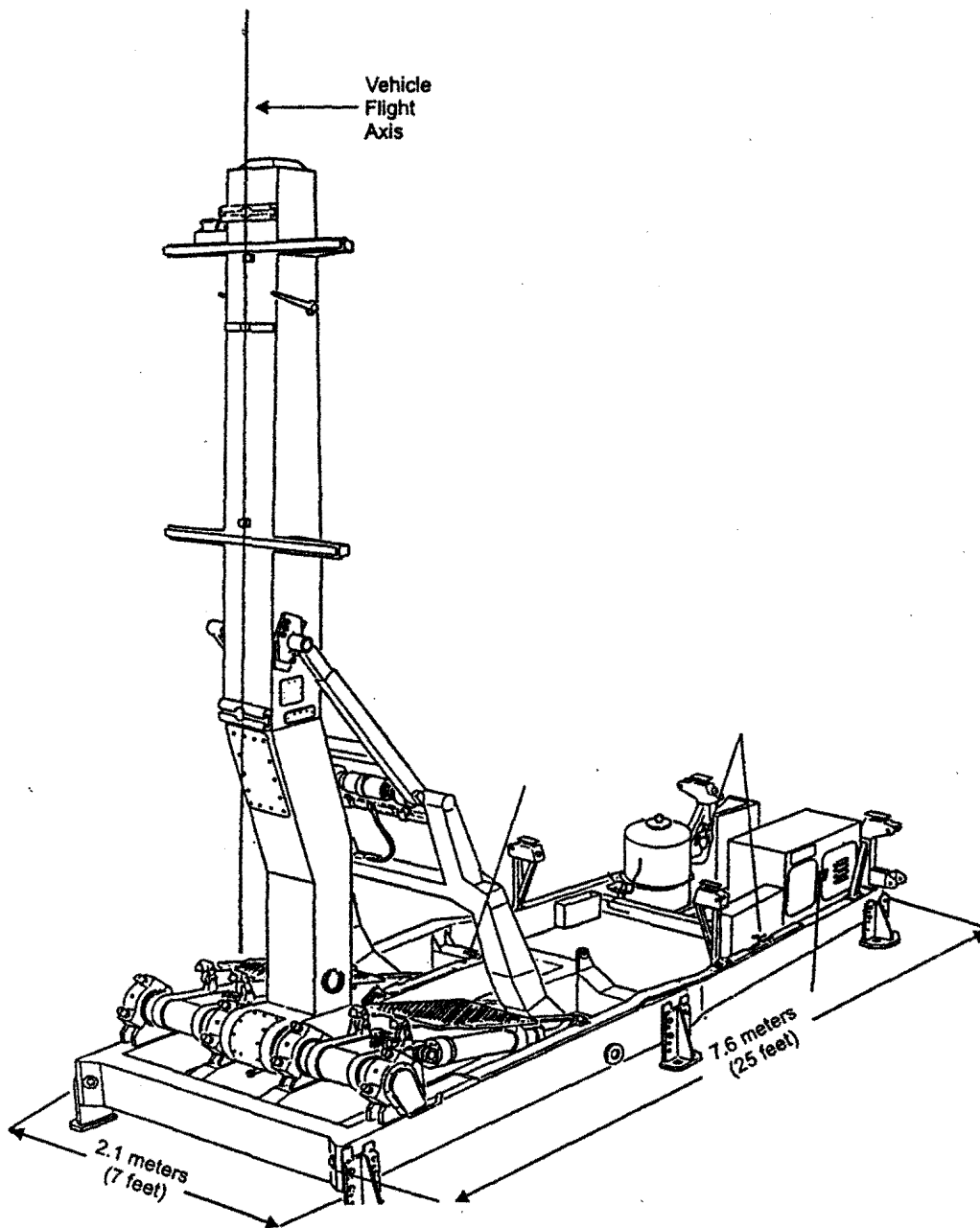
Width Retracted: 3 Meters (9.83 Feet)
Width Extended: 5.16 Meters (16.92 Feet)
Length: 10.24 Meters (33.6 Feet)
Empty weight: Appox. 10,886 Kilograms (24,000 Pounds)
GVW: 24,948 Kilograms (55,000 Pounds)

Source: Naval Air Warfare Center - Weapons Division, 1997.

Typical Mobile Launcher Components

Figure

EXHIBIT NO.	5
APPLICATION NO.	
	CD-6-99
California Coastal Commission	

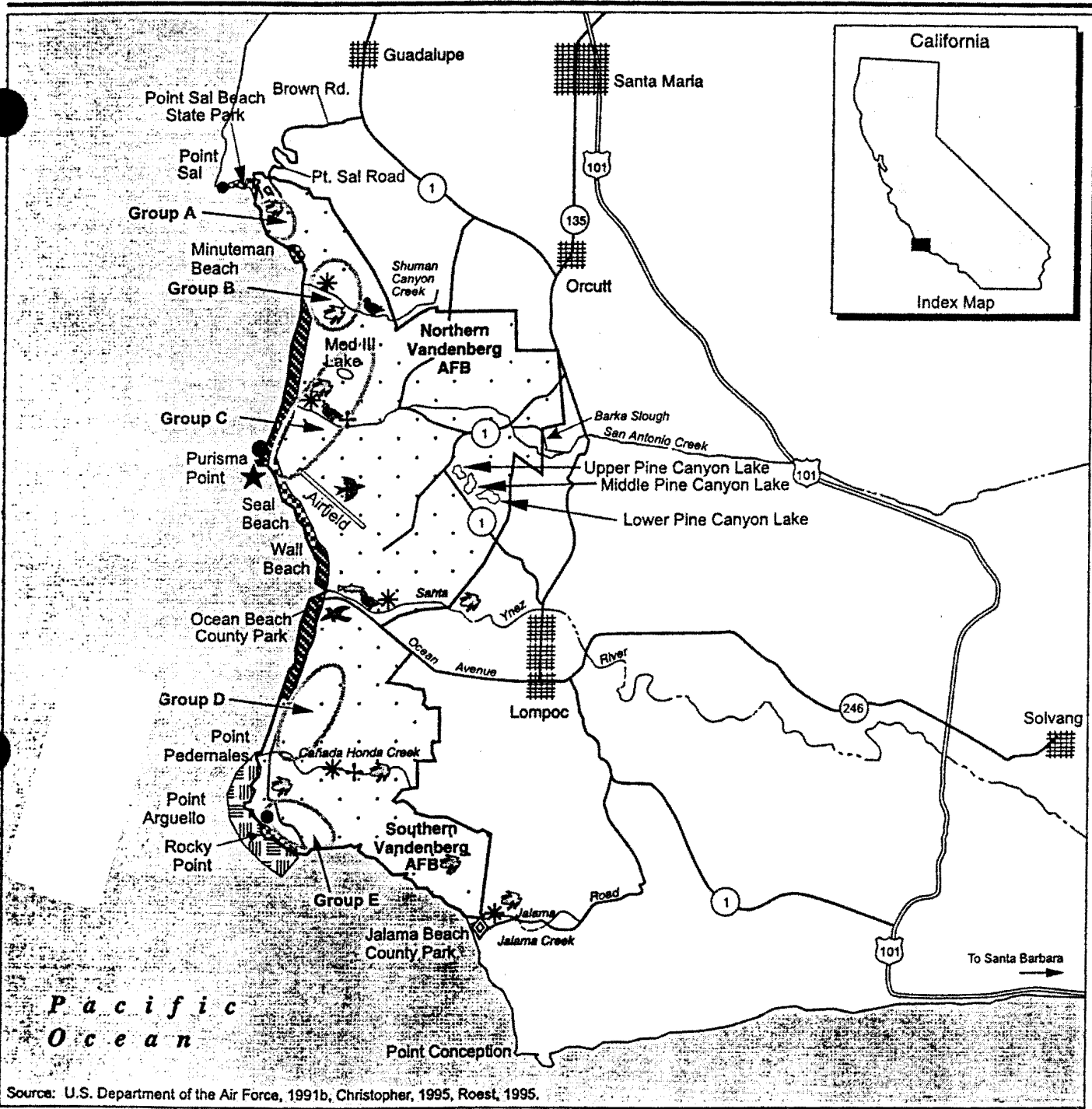


Source: Naval Air Warfare Center - Weapons Division, 1997.

**Representative Mobile
Launcher without
Flatbed Trailer**

Figure

EXHIBIT NO.	6
APPLICATION NO.	
CD-6-99	
California Coastal Commission	



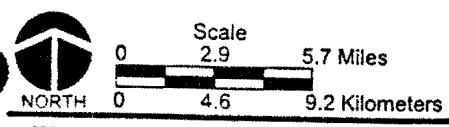
Source: U.S. Department of the Air Force, 1991b, Christopher, 1995, Roest, 1995.

EXPLANATION

- | | | |
|--|---|---|
| Nesting Location of California Least Tern/Western Snowy Plover | Tidewater Goby | California Least Tern (CLT) Foraging Areas |
| Haulout Location of California Sea Lion, Northern Elephant Seal, and Pacific Harbor Seal | Unarmored Threespined Stickleback | California Red-legged Frog (Wide Distribution Also Includes Ponds and Vernal Pools) |
| Marine Ecological Reserve | Roosting Location of California Brown Pelican | Steelhead Trout |
| | Southern Sea Otters | Mountain Plover (Winters Only) |
| | Launch Site Areas | Southwestern Willow Flycatcher |
| | | Snowy Plover (Winters Only) |

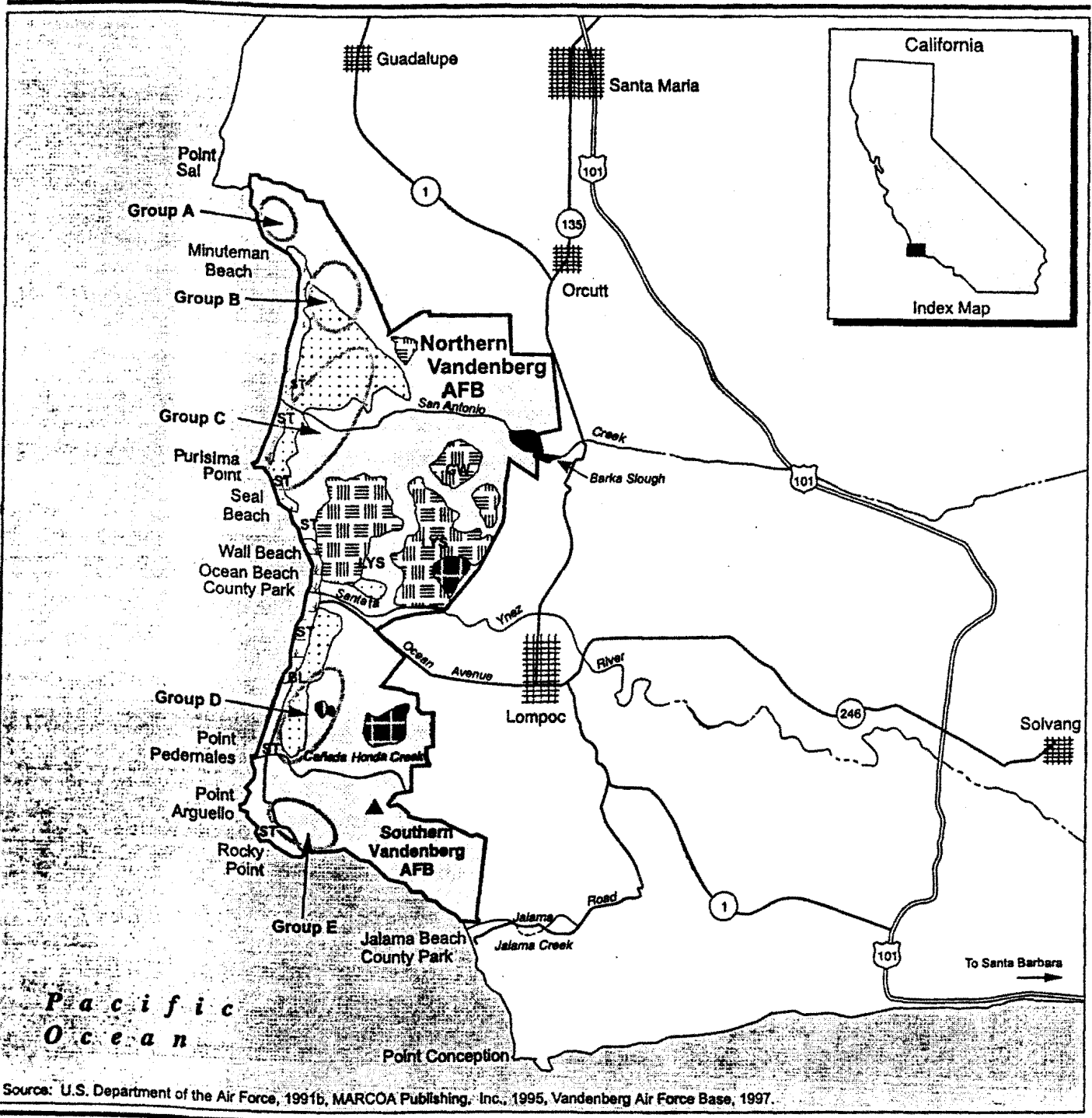
Sensitive Habitat for Listed Faunal Species on Vandenberg AFB

Western Range Candidate Test Area



TBM Targets EA

Fi:	EXHIBIT NO. 7
	APPLICATION NO.
	CD-6-99

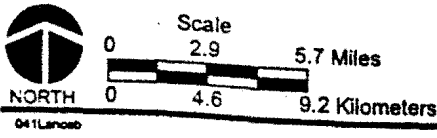


Source: U.S. Department of the Air Force, 1991b, MARCOA Publishing, Inc., 1995, Vandenberg Air Force Base, 1997.

EXPLANATION

- | | | | |
|--|-----------------------|--|----------------------------------|
| | Central Foredunes | | Other Vegetation/Cantonment Area |
| | Coastal Dune Scrub | | Tanbark-Oak Forest |
| | Burton Mesa Chapparal | | BL Beach Layia |
| | Bishop Pine Forest | | LYS Lompoc Yerba Santa |
| | Barka Slough | | ST Surf Thistle |
| | | | GW Gambel's Watercress |

Sensitive Vegetation Communities and Sensitive Plant Species, Vandenberg AFB



Western Range Area

Figure 3-

EXHIBIT NO.	8
APPLICATION NO.	
CD-6-99	

the Air Force, 1990a), and has been noted around the San Antonio (U.S. Department of the Air Force, 1995), but the raptor is not considered a common sight in the area.

Table 3-4: Pupping and Breeding Seasons For Sensitive Species

	Species	Pupping/Breeding Season	Applicable Launch Sites
<i>Marine Mammals</i>			
1	California sea lion	Mid-May-Late June	Group A, Group C, Group D, Group E
2	Guadalupe fur seal	N/A	Group A, Group C, Group D, Group E
3	Northern elephant seal	Late December-Mid-February	Group A, Group C, Group D, Group E
4	Northern fur seal	Late May-July	Group A, Group C, Group D, Group E
5	Pacific harbor seal	February-May	Group A, Group C, Group D, Group E
6 *	Southern sea otter	Peak pupping: January-March Peak breeding: July-October	Group C
7	Steller sea lion	Early June-Early July	Group A, Group C, Group D, Group E
<i>Birds</i>			
8 †	American peregrine falcon	mid-February-July	Group D, Group E
9	California brown pelican	February-April	Group A, Group B, Group C, Group D, Group E
10	California least tern	mid-April-August	Group B, Group C, Group D
11	Southwestern willow flycatcher	mid-May-mid-July	Group D
12	Western snowy plover	March-September	Group B, Group C, Group D

Source: Zane Publishing, Inc., 1995; Vandenberg Air Force Base, 1996a.


Note: The flycatcher is known only along the Santa Ynez River, where its only documented recent nesting has occurred near the 13th Street Bridge and off-base.

A resident population of Federally threatened Southern sea otters has been observed off Purisima Point, typically foraging and rafting in kelp beds; however, semi-migratory individuals may be found all along the coastline. Possibly indicative of a habitat expansion (U.S. Department of the Air Force, 1992), this colony has been confirmed as a small breeding population (U.S. Department of the Air Force, 1995). The kelp beds are located about 1.16 kilometers (3,800 feet) west of the 576-E site (U.S. Department of the Air Force, 1993a), which abuts a haulout location for Pacific harbor seals and, rarely, California sea lions and northern elephant seals.

South Vandenberg Air Force Base

A general description of vegetation and wildlife present on Vandenberg AFB is given in section 3.2.1. On the whole, South Vandenberg is much less developed than the northern areas and thus more conducive to wildlife diversity. Recently, breeding of the American peregrine falcon has been documented in the area, where preferred aerie sites are protected, typically seaward-facing, coastal cliff ledges. However, the species is not represented in figure 3-2 due to a request by the USFWS (Vandenberg Air Force Base, 1993; U.S. Department of the Interior, 1994).









The State of California has designated a 4.8-kilometer (3-mile) area of South as a marine ecological reserve, but this was not intended as a restriction against operations. Rather, a Memorandum of Agreement (MOA) between the state

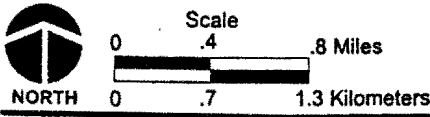
EXHIBIT NO.	9
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Source: U.S. Department of the Air Force.

EXPLANATION

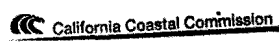
-  Nesting Location of California Least Tern/Western Snowy Plover
-  Haulout Location of California Sea Lion, Northern Elephant Seal, and Harbor Seal
-  Launch Trajectory Azimuth
-  Sea Otters
-  Roosting Location of California Brown Pelican
-  Tidewater Goby
-  Unarmored Threespined Stickleback
-  Noise Contours

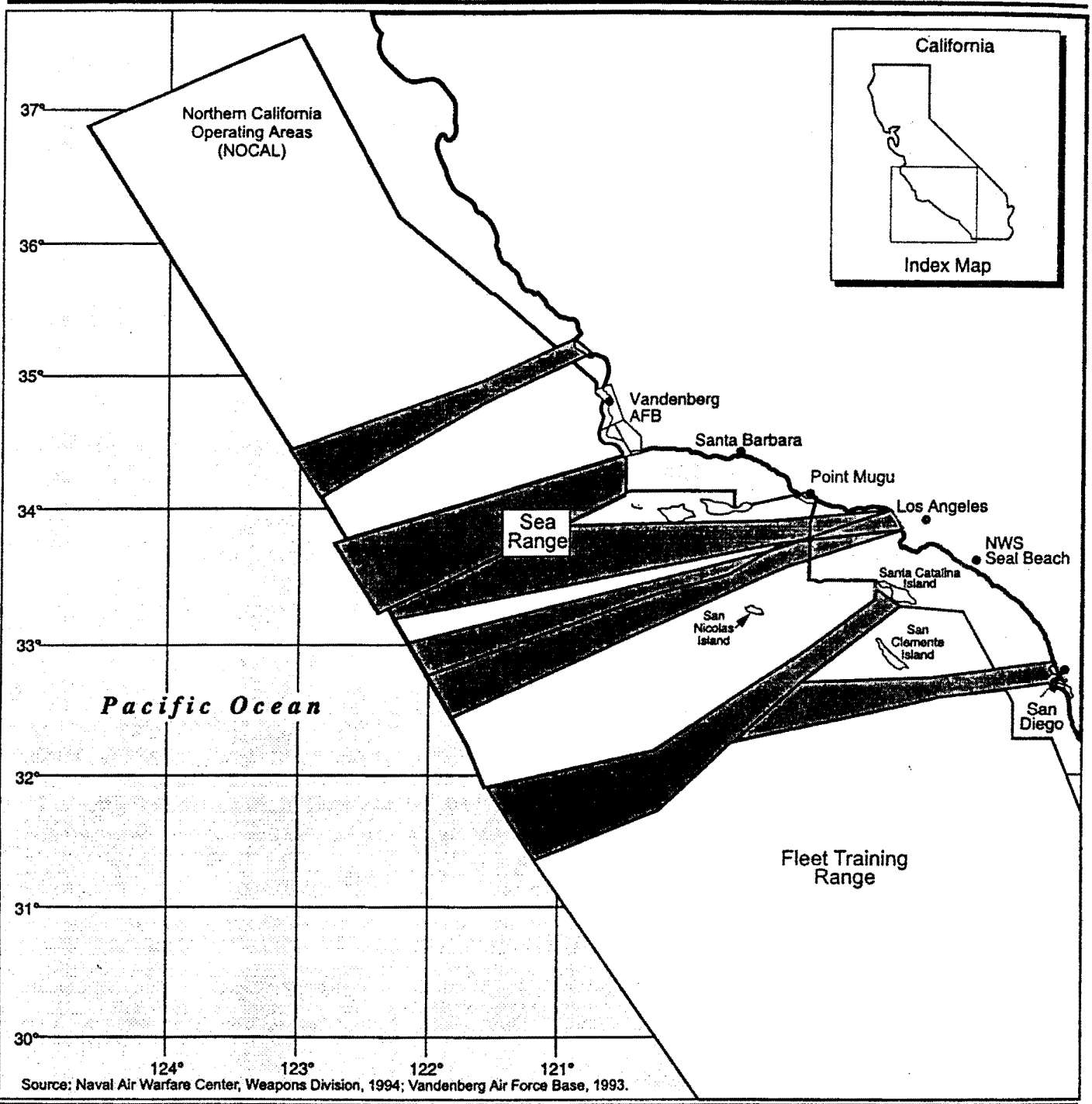


Maximum Noise Levels for Combined Launches of Lance Missiles, Group C (dB re 20 μPa)



Vandenberg AFB

Figure

EXHIBIT NO.	10
APPLICATION NO.	
CD-6-99	
	



EXPLANATION

-  Test Range Area
-  Air Traffic Corridors

Western Range Area Location

Air Traffic Corridors,
Vandenberg AFB

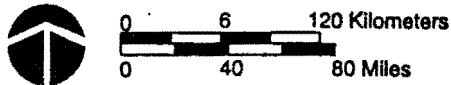



Figure 1

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TBM Targets EA

EXHIBIT NO.	11
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 California Coastal Commission	

Species found at each launch site

Launch Sites A and B:

tidewater goby
Ca red-legged frog
Western snowy plover
Ca brown pelican
Ca least tern
Northern fur seal
Northern elephant seal
Pacific harbor seal
Ca sea lion
surf thistle

Launch Site C:

tidewater goby
unarmored threespine stickleback
Ca red-legged frog
Western snowy plover
mountain plover
Ca brown pelican
Ca least tern
Northern fur seal
Northern elephant seal
Pacific harbor seal
Ca sea lion
Southern sea otter
surf thistle
Lompoc yerba santa
Gambel's watercress

Launch Site D:


tidewater goby
unarmored threespine stickleback
Ca red-legged frog
Western snowy plover
mountain plover
Ca brown pelican
Ca least tern

Northern fur seal
Northern elephant seal
Pacific harbor seal
Ca sea lion
Southern sea otter
surf thistle
Lompoc yerba santa
Gambel's watercress

Launch Site E:

tidewater goby
unarmored threespine stickleback
steelhead trout
Ca red-legged frog
Western snowy plover
mountain plover
southwestern willow flycatcher
black eagle
Ca brown pelican
Ca least tern

Northern fur seal
Northern elephant seal
Pacific harbor seal
Ca sea lion
Southern sea otter
surf thistle

EXHIBIT NO. 12
APPLICATION NO.
CD-6-99
 California Coastal Commission