

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(408) 427-4863

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RECORD PACKET COPY

ADMINISTRATIVE PERMIT NUMBER 3-00-100

Applicant..... City of Monterey, Public Works Department, Attn: Jennifer Hays
Project location..... McCormick Street (Navy property at former water pollution control plant), Monterey (Monterey County) (APN 013-001-002).
Project description..... Install pre-engineered metal building including concrete pad and asphalt ramp.

Note: Public Resources Code Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs. This permit will be reported to the Commission at the following time and place:

**August 10, 2000
9:00 A. M.**

**Waterfront Hilton Beach Resort
21100 Pacific Coast Highway
Huntington Beach, Ca 92648
(714) 960-7873**

IMPORTANT: Before you may proceed with development, the following must occur: You must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return to our office (Title 14, California Code of Regulations, Sections 13150(b) and 13158). Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, if applicable, we will send you a Notice of Administrative Permit Effectiveness. **Before you can proceed with development, you must have received both your administrative permit and the notice of permit effectiveness from this office.**

PETER DOUGLAS
Executive Director

By: Charles Lester
Central Coast District Manager



California Coastal Commission
August xx, 2000 Meeting in Huntington Beach
Staff: K.Colin Approved By:

EXECUTIVE DIRECTOR'S DETERMINATION: THE FINDINGS FOR THIS DETERMINATION, AND FOR ANY SPECIAL CONDITIONS, APPEAR ON SUBSEQUENT PAGES

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. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **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.
5. **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.

SPECIAL CONDITIONS

1. **Dune Restoration Potential at Project Site.** The project as conditioned herein is approved provided that the project may be required to be removed as part of a proposed comprehensive dune restoration of the larger wastewater treatment site within which it is located. In the event that the removal of remaining structures from the former wastewater treatment facility and dune restoration are proposed, applicant shall discontinue use of the subject structure and include the project approved through this permit within said proposal as appropriate.
2. **Final Project Plans and Protection of Public Viewshed.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit to the Executive Director for review and approval either: (1) evidence that demonstrates that the structure will not be visible from the beach; or (2) revised project plans for APN 013-001-002 that show sufficient screening for views of the structure from the beach.



STAFF NOTE

This project was previously agendized in February but was not heard due to opposition from the Del Monte Beach Neighborhood Association. Concern from the group at that time centered upon the understanding that all buildings from the former wastewater treatment facility were to be removed. The group also raised concerns of potential impacts to environmentally sensitive habitat areas, in addition to effects of increased lightening and noise upon the neighborhood. City staff met with the neighborhood association on March 31 and June 7, 2000 in an effort to address their concerns. These meetings did not result in a compromise between the parties and the project has not been modified from that which was originally represented to Commission staff in December 1999.

Staff has researched the relevant permit files and confirmed that not all structures at the former wastewater treatment facility were to be removed by prior permits. In addition, while the Commission previously required restoration of dune habitats within the project's vicinity, the project site is not located within these areas. Nonetheless, this approval acknowledges the restoration potential of the entire former wastewater treatment facility and requires the removal of the proposed structure in the event the restoration of the entire facility site is proposed at a future date. Finally, the effects of noise and lighting upon the neighborhood are expected to be minimal.

EXECUTIVE DIRECTOR'S DETERMINATION

The Executive Director hereby determines that the proposed development is a category of development that qualifies for approval by the Executive Director through the issuance of an administrative permit (Public Resources Code Section 30624). Subject to Standard and Special conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION

Project Location & Description. The project site is located upon an approximate 47-acre parcel, north of Del Monte Avenue, in the City of Monterey. Land uses surrounding the project site include Monterey State Beach to the west, Monterey National Marine Sanctuary to the north, U.S. Navy Postgraduate School to the south, and the Del Monte Dune subdivision to the east. The project site is located at the site of a former wastewater treatment facility. Portions of the facility have previously been demolished and removed from the site. Structures within the immediate vicinity of the project include three buildings that are used for a sewer pump station and Navy research purposes, one abandoned building, and a sewer plant tank that used as an overflow prevention facility. The proposed project would consist of the installation of an approximate 1250 square foot pre-engineered metal structure upon a concrete slab and the



placement of an asphalt ramp. The structure will be used for the storage of beach cleaning equipment. The structure would match neighboring existing buildings by coloring walls in a sandy color and a reddish colored roof. Approximately 35 cubic yards of grading is proposed for the construction of a concrete building pad and asphalt ramp.

Applicable Coastal Act Policies. This project raises Coastal Act issues pertaining to the protection of environmentally sensitive habitat areas and visual resources, as well as the provision of public access from the first public road and the sea. Relevant policies of the Coastal Act addressing these issues state in part,

§ 30240 (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.

§ 30251: 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 on 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.

§ 30210: In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

§ 30211: Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Analysis. The proposed project raises two questions of potential inconsistency with the Coastal Act concerning the protection of environmentally sensitive habitat areas and visual resources. Public access and recreation opportunities would not be impacted by the proposed project. Irrespective of these issues, the Executive Director completed a federal consistency review of the project on July 24, 1996. This review concurred with the Navy's Negative Determination made pursuant to 15 CFR Section 930.35 (d) [ND-067-96].



Environmentally Sensitive Habitat Areas. The project site is located at the southwestern edge of the Seaside dune system. Much of this dune system has been destroyed or altered significantly by sand mining, urbanization, military activities, construction, and the introduction of exotic plants. Even so, these dunes are the largest and best preserved of any of the central California dune systems except for the Oso Flaco Dunes near San Luis Obispo.

Areas surrounding the project site have been the subject of ongoing dune restoration efforts. Many of these efforts have been undertaken in order to restore habitat values destroyed by the original construction of the wastewater treatment facility here. One such effort was accomplished at the eastern and western edge of the facility site. Here structures were removed and dune habitats were subsequently restored under a permit granted by the Commission in November 1992 (3-83-14-A5). These areas currently support a healthy population of native dune plant species. Also, a separate restoration effort is currently taking place adjacent to these sites. Once completed, areas along McCormick Road and the ocean fronting dunes to the north of the 1992 restoration sites will likewise support native dune species. The proposed project and remnants of the wastewater treatment facility lie at the center of these restoration projects.

Given its location within the center of ongoing and previous restoration efforts, maintaining restoration potential at the former wastewater treatment site is vital and future efforts to pursue the restoration of destroyed or degraded dune habitats must be preserved here.

Overall, the effects of urbanization and construction at this location have contributed to a significant cumulative impact upon the Seaside dune system. While habitat values at the project site are not currently high, the site would prove valuable within the context of a comprehensive restoration effort covering the entire wastewater treatment facility site. Specifically, were the remaining development surrounding the project site to be proposed for removal and restoration at some future time, it would prove crucial to include the project site within any such restoration project. If not included, the project would preclude restoration of the entirety of this site. Specifically, in light of the restoration potential of the degraded habitat at the project site the project as proposed would not be designed to prevent impacts to the sensitive Seaside dune system. Therefore, Commission finds that, only by imposing special condition 1, can the proposed project be found consistent with Coastal Act § 30240.

Scenic and Visual Resources. The proposed project may impact the public viewshed at this location. While the viewshed is not pristine here, visibility of the proposed project from the beach would be inconsistent with Coastal Act § 30251. However, alternatives to address this inconsistency are available to the applicant.

Existing development within the project's vicinity is visible from the beach. In particular, the former wastewater treatment facility site (project site) is identifiable from the beach by a chain link fence with barbed wire that extends its perimeter and the Del Monte Lake Ocean Outfall lies on the beach at the center of this fencing. The Outfall consists of a concrete headwall with culverts and a small amount of rip-rap rock. In addition, the Del Monte Dunes subdivision is located directly to the east of the project site. Many of the homes constructed here are visible



from the beach. Notwithstanding, structures at the wastewater treatment facility site are not visible from the beach here.

The Seaside dune system lies between the project site and beach. Dunes seaward of the project are approximately 15 to 20 feet from height. It appears that, by their height alone, these dunes would provide some screening for views from the beach. This screening might also be enhanced by a small grove of Monterey cypress (*Cupressus macrocarpa*) to the north of the project. However, information provided by the applicant to date does not enable a conclusive evaluation of the structures visibility from the beach. Likewise, staff's site visit of July 18, 2000 also did not enable a conclusive evaluation in this respect. Coastal Act § 30251 affords some protection of the public viewshed here and states in relevant part, "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 [...] where feasible, to restore and enhance visual quality on visually degraded areas." In light of the above stated uncertainties, the Commission can not conclude, based upon information submitted to date, that the proposed project is consistent with Coastal Act § 30251. However, there appear to be two options available to the applicant which would bring the proposed project into consistency with Coastal Act § 30251.

One option would be for the applicant to submit revised plans that provide sufficient vegetative screening of the proposed project for views from the beach. Given that Monterey Cypress trees are adjacent to the project, it appears that additional plantings of these species would provide sufficient screening. A second option would be for the applicant to submit evidence that demonstrates that the proposed structure would not be visible from the beach. This would most logically occur by the installation of story poles demarcating the height of the structure; snow fencing or fabric could then be strung from the poles to delineate the extent of the structure. Photographs from various vantage points along the beach could then be taken to verify the proposed structures visibility. Either of these two options contains the potential to bring the project into consistency with Coastal Act § 30251. Therefore, the Commission finds that only by imposing special condition 2, requiring the submission of revised plans providing screening or evidence that the project will not be visible from the beach, can the proposed project be found consistent with Coastal Act § 30251.

Public Access and Recreation. Existing access will not be impacted by the proposed development, and sufficient access is currently provided within the immediate vicinity of the project. The project is located landward of the Seaside dune system fronting Monterey Bay. Lateral access in front of this dune system is unrestricted at this location; vertical pedestrian access to the beach along McCormick Street (adjacent to the project) is possible here, though not a public right-of-way. Additional informal vertical access across the dunes is also common in the vicinity though discouraged by signing. A pedestrian boardwalk from the Regional Recreation Trail fronting Del Monte Avenue is constructed at the western end of the Navy property. The boardwalk provides vertical access to the beach and contains interpretative signing and sitting areas near the crest of a dune.



The proposed structure would be located within an area currently surrounded by chain link fence. Access to this area is restricted in order to prevent vandalism and theft of the Navy's structures and property. Existing vertical and lateral access routes will remain unchanged by the project. Therefore, since the proposed development will not interfere with the public's ability to access the beach, and because sufficient access is currently provided, the Commission finds that the proposed project is consistent with the public access and recreation policies of the Coastal Act.

California Environmental Quality Act (CEQA). Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary of Resources as being the functional equivalent of environmental review under CEQA. This report has examined the relevant issues in connection with the environmental impacts of this proposal. The Commission finds that, for the reasons stated above, the proposed project will not have any significant adverse effects on the environment within the meaning of CEQA.

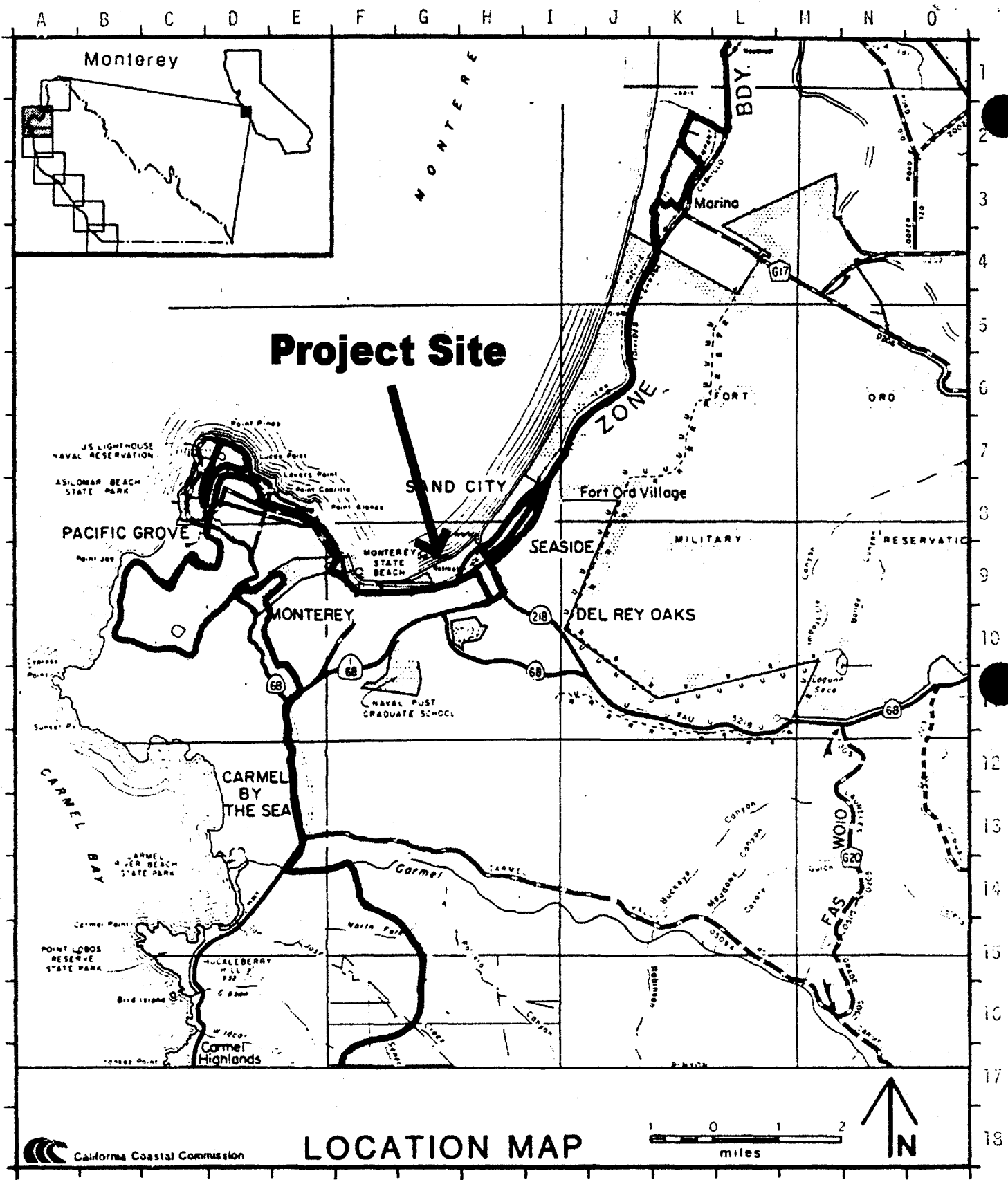
ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's signature

Date of signing





California Coastal Commission

LOCATION MAP



County of Monterey

**Exhibit A
Application No. 3-00-100**

BEACH EQUIPMENT STORAGE FACILITY

Located at the End of McCormick Street at the Former Water Pollution Control Plant

FOR USE IN CONJUNCTION WITH THE PROJECT SPECIFICATIONS AND THE STANDARD DETAILS OF THE CITY OF MONTEREY
AND THE STANDARD PLANS & SPECIFICATIONS OF THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION, JULY 1995.

SHEET INDEX:

SHEET No.	CONTENTS :
1	COVER SHEET / VICINITY MAP
2	PLAN & ELEVATION
3	ELEVATIONS
4	UTILITIES

GENERAL CONSTRUCTION NOTES:

- ALL WORK SHALL COMPLY WITH APPLICABLE SECTIONS OF THE MOST CURRENT EDITION OF THE UNIFORM BUILDING CODE, NATIONAL ELECTRICAL CODE, AND REQUIREMENTS OF THE CITY OF MONTEREY.
- FINISHED FLOOR ELEVATION = 28'-6" (8.7 m)
- ALL AC PAVING SHALL BE SLOPED UNIFORMLY. PAVING ELEVATIONS, ETC. SHALL BE VERIFIED AND SET TO DRAIN PROPERLY.
- CONTRACTOR SHALL SEAL ALL PENETRATIONS THRU EXTERIOR WALLS WITH SEALANT.
- EXACT LOCATIONS OF VENTS SHALL BE VERIFIED PRIOR TO INSTALLATION.
- CONTRACTOR SHALL COORDINATE WITH MUPCA AND NAVY PRIOR TO WORKING ON ANY SITE UTILITIES. A MINIMUM OF ONE WEEK NOTICE WILL BE REQUIRED PRIOR TO SHUT-OFF OF ANY ELECTRICAL UTILITIES DUE TO RESEARCH PROJECTS UNDERWAY IN ON-SITE BUILDINGS. WRITTEN NOTICE MUST BE MADE TO ALL TENANTS ON-SITE.
- ALL OVERHEAD CONDUIT RINGS SHALL BE RUN TIGHT UNDER FURLINS.
- VERIFY EXACT LOCATIONS OF ALL OUTLETS AND SWITCHES WITH ENGINEER PRIOR TO ROUGH-IN.
- GRADE AND COMPACT AREAS WITHIN PROJECT LIMITS TO PREVENT TRIPPING HAZARDS AND EROSION.

ABBREVIATIONS:

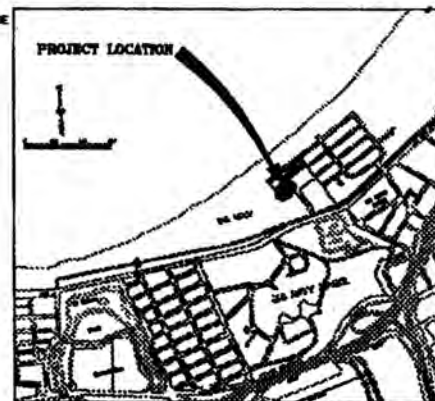
C	CENTER LINE
P	PROPERTY LINE
BC	BEGIN CURVE
BCR	BEGIN CURVE RETURN
EC	END CURVE
ECR	END CURVE RETURN
FG	FINISH GRADE
L/L	LAY OUT LINE
PCC	POINT OF COMPOUND CURVE
PRC	POINT OF REVERSE CURVE
PM	POINT OF VERTICAL INTERSECTION
(E)	EXISTING
(N)	NEW
FF	FINISH FLOOR
EG	EXISTING GRADE

LEGENDS:

NEW:	EXISTING:
◆ CONTROL POINT	----- SEWER LINE
--- SANGUIT LINE	----- GAS LINE
/// AC PAVEMENT SECTION	----- JOINT UTILITY TRENCH (CABLE, P.C. BELL & MPTV)
▬ CONDUIT TRENCH	----- WATER LINE
⊙ CONSTRUCTION NOTE (NUMBERS)	----- STORM DRAIN LINE
⊙ CURVE NUMBER (LETTERS)	----- RETAINING WALL
+10 ENGINEERS STATION	----- FENCE
A GRADE BREAK	----- PROPERTY LINE
--- LIMITS OF GRADING & CLEAR & GRAB	⊙ PROPERTY ADDRESS
	±±±±± PROJECT DATUM ELEVATION
	----- EXISTING UNCLAD



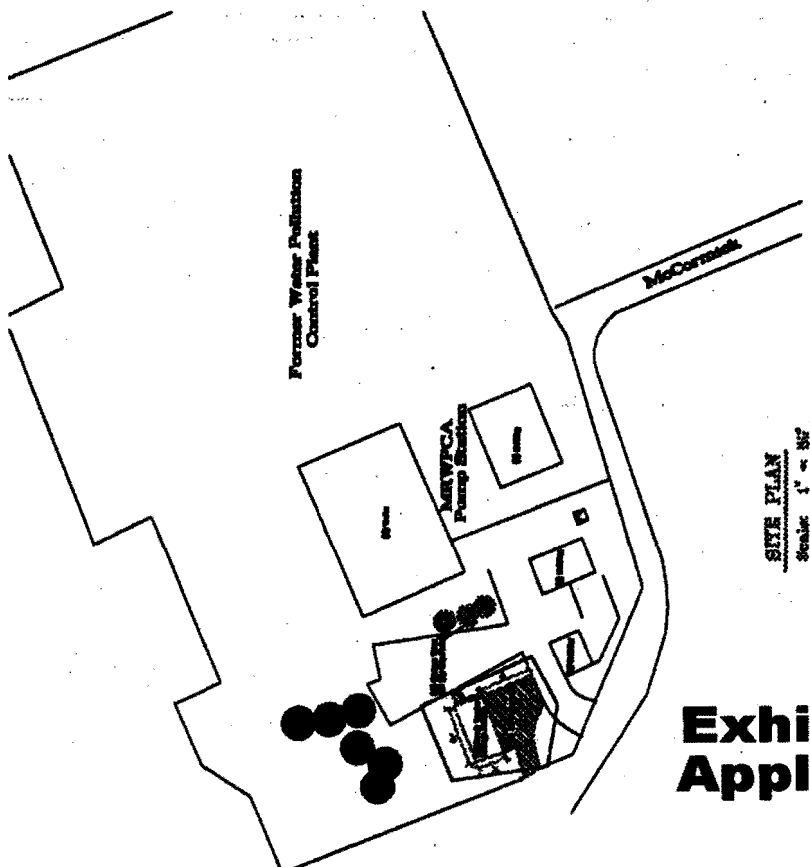
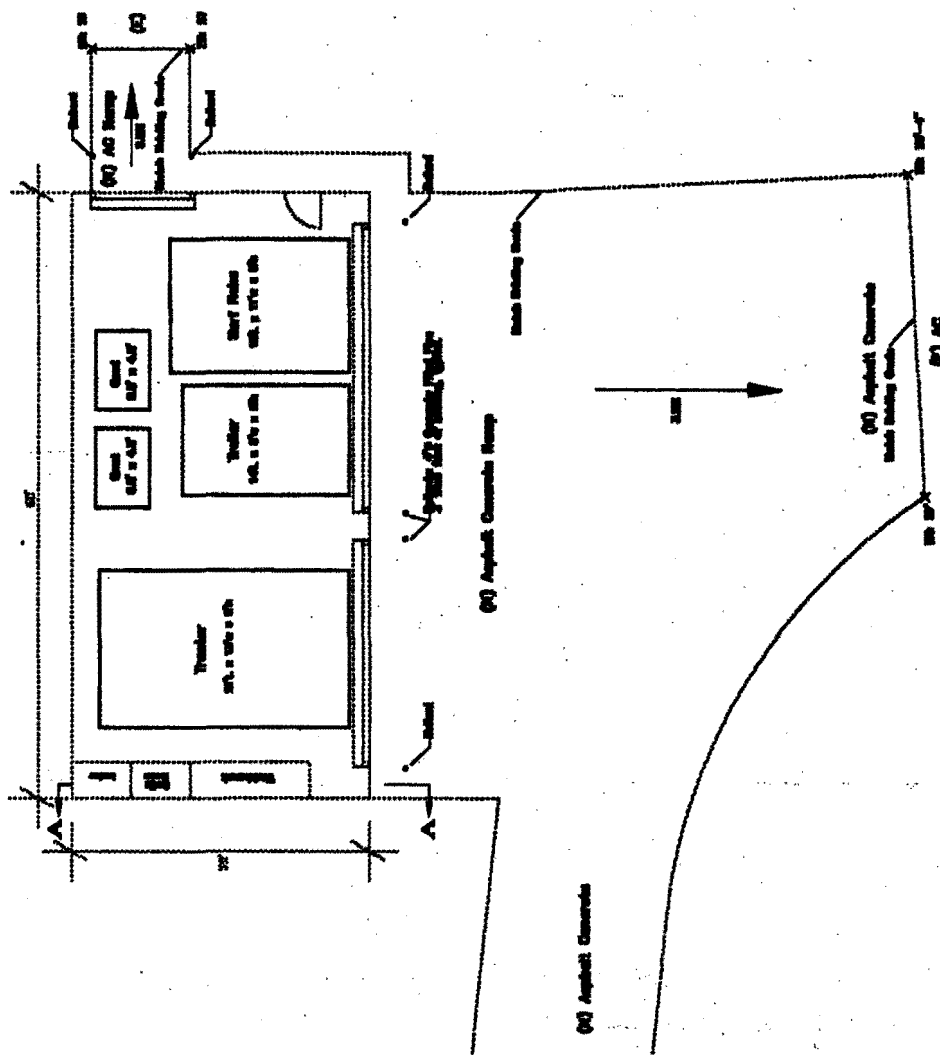
PROJECT LOCATION



VICINITY MAP

CITY OF MONTEREY DEPARTMENT OF PUBLIC WORKS			
BEACH EQUIPMENT STORAGE FACILITY			
Former Water Pollution Control Plant 410-C00-L010			
DATE:	APPROVED:	DESIGNED:	DRAWN:
CHECKED:	ENGINEER:	PROJECT MANAGER:	PROJECT NUMBER:





CITY OF MONTEREY
 DEPARTMENT OF PUBLIC WORKS
BEACH EQUIPMENT STORAGE FACILITY
 Plan and Specifications
 Former Water Pollution Control Plant
 410-030-1018

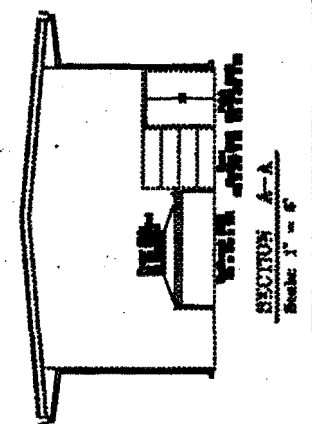
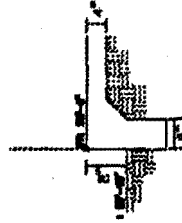
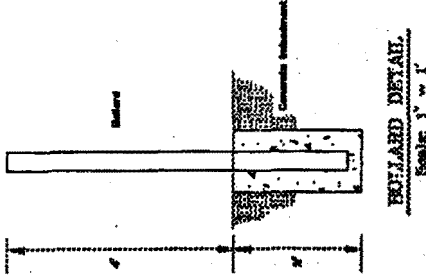
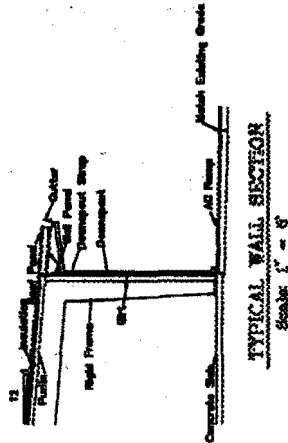
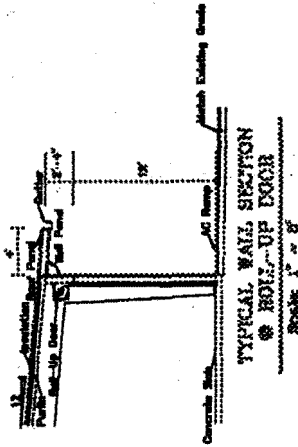


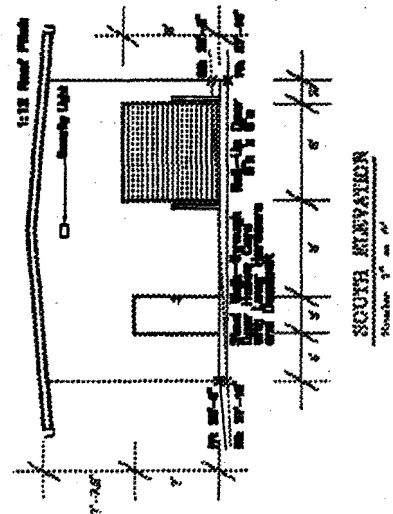
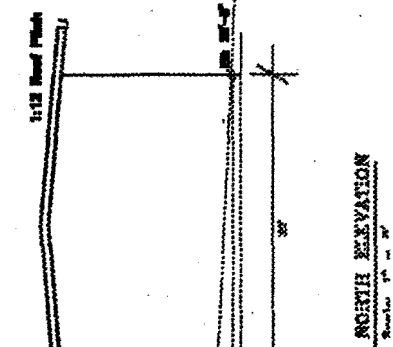
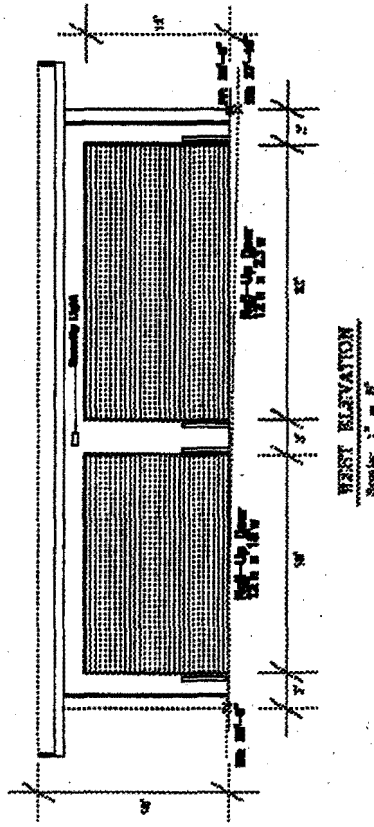
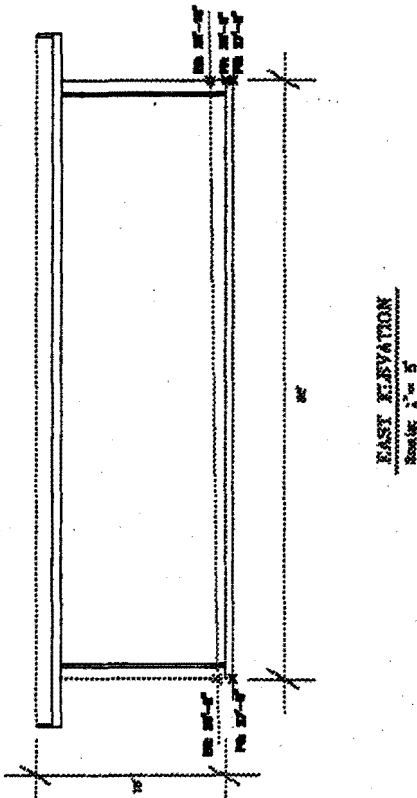
Exhibit B (Page 2 of 4)
Application No. 3-00-100

Exhibit B (Page 3 of 4) Application No. 3-00-100



FOUNDATION DETAIL
Scale: 1/2" = 1'-0"

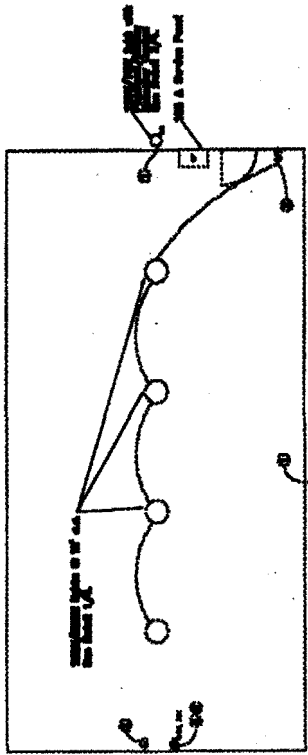
Refer. Actual dimensions of footing shall be per approved Registered Civil Engineer details as required for the project including. Footing shall be treated to above finished grade as shown.



CITY OF MONTEREY
DEPARTMENT OF PUBLIC WORKS
BEACH EQUIPMENT STORAGE FACILITY

Former Water Pollution Control Plant
418-COR-1010

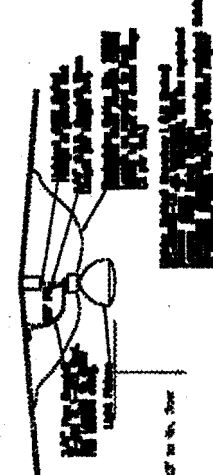
PROJECT NO. _____
DRAWING NO. _____
DATE _____
BY _____
CHECKED BY _____
APPROVED BY _____



ELECTRICAL PLAN
Scale: 1" = 5'



DETAIL 1 - EXTERIOR LIGHTING
Scale: 1" = 5'



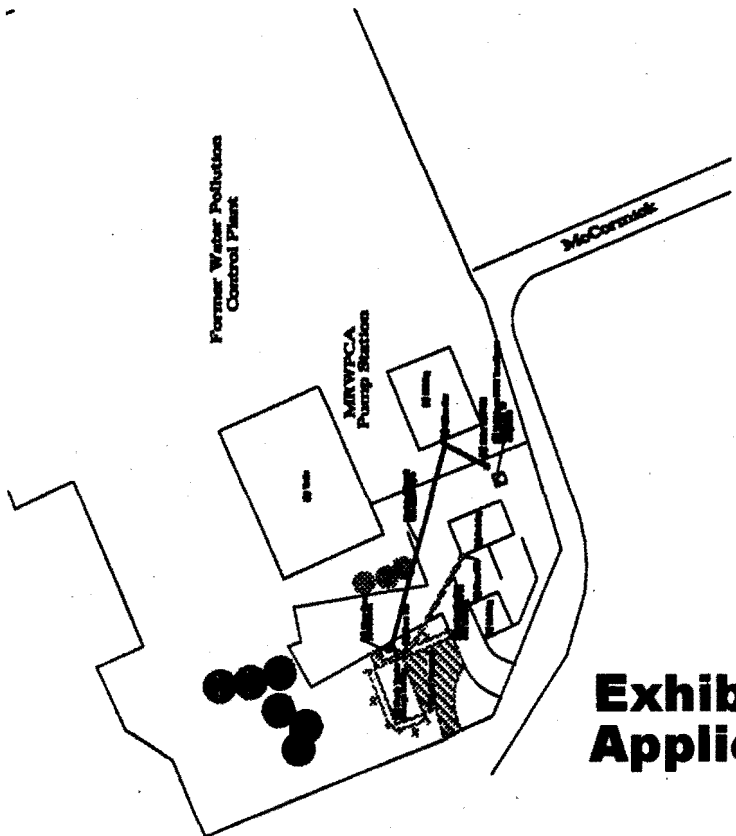
DETAIL 2 - EXTERIOR LIGHTING
Scale: 1" = 5'



DETAIL 3 - ELECTRICAL TRENCH
Scale: 1" = 2.5'

SYMBOLS & ABBREVIATIONS

SYMBOLS		ABBREVIATIONS	
	Service Panel	W.P.P.	Water Pollution Plant
	Light Pole	W.P.	Water Pollution
	Light Fixture	W.P.C.P.	Water Pollution Control Plant
	Light Fixture	W.P.P.	Water Pollution Plant
	Light Fixture	W.P.P.	Water Pollution Plant
	Light Fixture	W.P.P.	Water Pollution Plant
	Light Fixture	W.P.P.	Water Pollution Plant
	Light Fixture	W.P.P.	Water Pollution Plant
	Light Fixture	W.P.P.	Water Pollution Plant
	Light Fixture	W.P.P.	Water Pollution Plant
	Light Fixture	W.P.P.	Water Pollution Plant
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	Light Fixture	W.P.P.	Water Pollution Plant
	Light Fixture	W.P.P.	Water Pollution Plant
	Light Fixture	W.P.P.	Water Pollution Plant
	Light Fixture	W.P.P.	Water Pollution Plant
	Light Fixture	W.P.P.	Water Pollution Plant



SITE UTILITY PLAN
Scale: 1" = 40'

CITY OF MONTEREY
DEPARTMENT OF PUBLIC WORKS
BEACH EQUIPMENT STORAGE FACILITY
 Former Water Pollution Control Plant
 410-CDD-1916

Exhibit B (Page 4 of 4)
Application No. 3-00-100