

CALIFORNIA COASTAL COMMISSION

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**RECORD PACKET COPY****Th 10a****STAFF RECOMMENDATION****ON CONSISTENCY DETERMINATION**

Consistency Determination No.	CD-016-04
Staff:	LJS-SF
File Date:	3/15/2004
60 th Day:	5/14/2004
75 th Day:	5/29/2004
Extended to	9/30/2004
Commission Meeting:	9/9/2004

FEDERAL AGENCY: **National Park Service**

DEVELOPMENT**LOCATION:**

Historic Lifeboat Station at Chimney Rock in Drakes Bay, Point Reyes National Seashore (Exhibits 1 and 2)

DEVELOPMENT**DESCRIPTION:**

Rehabilitation and stabilization of the marine boathouse railway

SUBSTANTIVE FILE**DOCUMENTS:**

1. CD-048-02 (Navy, San Nicolas Island pier construction)
2. ND-029-02 (National Park Service, Santa Cruz Island pier replacement)
3. ND-085-01 (Corps of Engineers, Seal Beach Naval Weapons Station pier repairs)

EXECUTIVE SUMMARY

The National Park Service (NPS) has submitted a consistency determination for the rehabilitation of the marine boathouse railway at the historic Lifeboat Station at Chimney Rock, located at the western side of Drakes Bay in Point Reyes National Seashore. The NPS proposes that the new

railway and pier be constructed using ACZA (ammoniacal copper zinc arsenate) pressure-treated Douglas fir pilings, wrapped with high-density polyethylene for the substructure elements (cap beams, diagonals, and piles). Rather than rehabilitating or replacing the historic three-rail system, the new railway will consist of one operable and two inoperable tracks. Water and electrical utilities will be replaced, and a davit would be installed to allow NPS law enforcement staff to access their safe boat and other marine support craft that are moored nearby in Drakes Bay. The public will enjoy access to the boathouse and the fronting deck which overlooks the railway. Construction is expected to occur between July and October of 2005.

The project includes placement of 128 timber pilings in open coastal waters to support the marine railway and two adjacent walkway piers, and is an allowable use as a coastal dependent facility. The project is the least damaging feasible alternative because it would be located at the same location as the existing railway, because the timber pilings would be treated and wrapped with materials accepted for use in California and would be monitored and repaired as necessary, because best management practices to protect water quality will be implemented, and because construction will occur outside the primary time period when marine mammals frequent this location. With these measures, the project is consistent with the ocean fill, marine resources, and water quality protection policies (Sections 30230, 30231, and 30233) of the Coastal Act. Project construction could cause minor and temporary affects on public access and recreation at the Lifeboat Station but, when completed, the rehabilitated marine railway will provide significant recreation and interpretive benefits and is consistent with Sections 30211, 30212, and 30220 of the Coastal Act.

STAFF SUMMARY AND RECOMMENDATION

I. Project Description. The National Park Service (NPS) proposes to rehabilitate the marine boathouse railway at the historic Lifeboat Station at Chimney Rock, located at the western side of Drakes Bay in Point Reyes National Seashore (Exhibits 1 and 2). The project would stabilize and rehabilitate the marine railway for public educational and interpretive use. The Lifeboat Station was built in 1927 and used by the U.S. Coast Guard for emergency sea rescues until 1968. The Coast Guard abandoned the station in April 1969 and the property was transferred to the NPS in November 1969. The Lifeboat Station facility includes the two-story wood-framed Lifeboat Operations Building, lifeboat launch, deck, three-rail boat launching system, two elevated walkway piers that extend seaward to the end of the railway, and the access/storage deck (Exhibits 3-7). The combined length of the deck and marine railway is approximately 300 feet. This structure is the last remaining example of a lifeboat station with a marine railway on the Pacific coast and was designated a National Historic Landmark on December 20, 1989. The Point Reyes National Seashore *General Management Plan (1980)* calls for adaptive restoration of the Lifeboat Station and the interpretation of the facility with public tours and programs.

A condition assessment was performed for the NPS in February 2002 which revealed that the structural integrity of the pier associated with the railway had reached a state of imminent failure. The pilings from bents 7 to 27 (a bent is a row of pilings perpendicular to the length of the pier) had deteriorated and posed a significant safety risk to the public and NPS employees using and maintaining the facility. This section of the pier is no longer structurally sound, and severe wind

and wave conditions could cause the pier to fail, which in turn could generate extensive structural damage to the attached Lifeboat Station. The NPS examined several construction alternatives for rehabilitation of the marine boathouse railway. The preferred alternative is a total rehabilitation of the railway. The NPS proposes that the new railway and pier be constructed from bents 7 to 27 (a total of 128 pilings) with ACZA (ammoniacal copper zinc arsenate) pressure-treated Douglas fir pilings, wrapped with high-density polyethylene for the substructure elements (cap beams, diagonals, and piles). The construction material for the walkways, handrails, and decking will use ecologically harvested lumber. The existing creosote-treated pilings would be removed and transported to an appropriate upland disposal site. Rather than rehabilitating or replacing the historic three-rail system, the new railway will consist of one operable and two inoperable tracks. Water and electrical utilities will be replaced. The public will enjoy access to the boathouse and to the deck located in front of the boathouse and overlooking the railway. A davit would be installed to allow NPS law enforcement staff to access their safe boat and other marine support craft that are moored nearby in Drakes Bay. Construction is expected to occur between July and October of 2005, which is outside the Lifeboat Station's December – March peak visitation period, and which coincides with the period of primary marine mammal activity in the area.

II. 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 County of Marin's LCP has been certified by the Commission and incorporated into the CCMP.

IV. Federal Agency's Consistency Determination. The National Park Service has determined the project consistent to the maximum extent practicable with the California Coastal Management Program.

V. Staff Recommendation.

The staff recommends that the Commission adopt the following motion:

MOTION: I move that the Commission **concur** with consistency determination CD-016-04 that the project described therein is fully consistent, and thus is consistent to the maximum extent practicable, with the enforceable policies of the California Coastal Management Program (CCMP).

Staff Recommendation:

The staff recommends a **YES** vote on the motion. Passage of this motion will result in a concurrence with the determination and adoption of the following resolution and findings. An affirmative vote of a majority of the Commissioners present is required to pass the motion.

Resolution to Concur with Consistency Determination:

The Commission hereby **concurs** with the consistency determination by the National Park Service, on the grounds that the project described therein is fully consistent, and thus is consistent to the maximum extent practicable, with the enforceable policies of the CCMP.

VI. Findings and Declarations:

The Commission finds and declares as follows:

A. Marine Resources. The Coastal Act provides the following:

Section 30230. Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231. 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.

Section 30233(a). The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

(3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to

subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.

(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

(5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(7) Restoration purposes.

(8) Nature study, aquaculture, or similar resource dependent activities.

The National Park Service (NPS) proposes to repair the existing marine boathouse railway at the historic Lifeboat Station at Chimney Rock in Point Reyes National Seashore. The project site is located at the western side of Drakes Bay, just inside the eastern edge of the Point Reyes Headlands. The variety of upland and marine habitats in the area surrounding the project site support a rich diversity of wildlife. The headlands extending from Point Reyes Lighthouse east to Chimney Rock are designated as a marine reserve, and the waters surrounding the Point Reyes Peninsula, including Drakes Bay, are a part of the Gulf of the Farallones National Marine Sanctuary.

While the project does not include any dredging, the proposed replacement pilings are considered "fill" under the Coastal Act and must be examined for consistency with Section 30233 of the Coastal Act. Under Section 30233(s), filling of open coastal waters is limited to those cases where the proposed project is an allowable use, where there is no feasible less environmentally damaging alternative, and where mitigation measures are provided to minimize environmental impacts. The Commission has historically found piers in open coastal waters and estuaries (such as San Nicolas Island, Santa Cruz Island, Anaheim Bay, etc.) to be allowable uses as coastal dependent facilities. Thus, the Commission finds the proposed project an allowable use under Section 30233(a)(1).

The Commission finds that the project is the least damaging feasible alternative (including the No Project alternative) for several reasons. The proposed project would replace the existing marine railway complex at the same location and the same size. The replacement Douglas fir pilings will be treated with an anti-fouling wood preservative accepted for use in California – AZCA (ammoniacal copper zinc arsenate). In addition, the pilings will be wrapped with high-

density polyethylene to prevent leakage of the preservative into marine waters. The Commission has historically approved this type of treated and wrapped timber piling for use in ocean waters when accompanied by a commitment by the project sponsor to monitor the wrapped pilings and to make any necessary repairs in a timely manner. The NPS has agreed to these commitments for its proposed project. Marine resources and water quality will benefit from the removal of the existing creosote-treated timber pilings supporting the railway complex.

The NPS has agreed to implement its best management practices to control erosion and protect water quality during construction activities, and will provide the Commission with a copy of the final BMPs for the project once construction documents are finalized in February 2005. Demolition and construction activities, and in particular the drop hammer to be used in driving the replacement pilings, will cause an increased level of noise in the project area. The NPS noted that:

Although our preferred method of pile construction is driving, we won't be able to make a final determination on construction method until the contractor performs a test pile driving evaluation. If the point of refusal doesn't allow for adequate depths of the piles, augering, drilling and grouting may be an option. In addition to drilling, dowelling to existing piles may be an option, although this would be the least preferred. Unfortunately, there is no definitive way of determining the best construction method until the exploratory pile driving test is performed.

The geotechnical investigation determined that the bedrock is highly weathered gray granite, which is soft, friable and intensely fractured with quartz veins. If the bedrock were more stable, the existing piling holes may have been considered for the new pilings.

Regardless of the pile driving method ultimately selected, the NPS does not expect construction noise levels to adversely affect marine mammals or other fish and wildlife populations adjacent to or nearby the project site. The Elephant seal haul-out site and the Stellar sea lion foraging sites are both more than a mile away from the marine railway site, and construction is scheduled to occur outside the winter and spring months when these marine mammals are present in their greatest numbers. The NPS has completed informal consultation with the U.S. Fish and Wildlife Service, is presently consulting with NOAA Fisheries, and has committed to abide by any mitigation measures required by those agencies to protect marine mammals and fisheries. Lastly, concerning mitigation for fill impacts, the Commission has historically determined that piles and shading for small and medium sized piers do not require mitigation for fill and shading impacts, and particularly when it a replacement project with no expansion in size.

The Commission concludes that the proposed marine railway replacement project will avoid generating adverse effects on marine resources and water quality in the Drakes Bay area adjacent to the existing lifeboat station. The Commission therefore finds that the project is consistent with the ocean fill, marine resources, and water quality protection policies (Sections 30230, 30231, and 30233) of the Coastal Act.

B. Public Access and Recreation. The Coastal Act provides the following:

Section 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.

Section 30212(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. . .*

Section 30220. Coastal areas suited for water-oriented recreational activities that cannot be readily provided at inland water areas shall be protected for such uses.

The NPS reports that the Lifeboat Station at the Point Reyes Headlands receives approximately 300,000 visitors per year, who are attracted to the historical significance of the marine railway, interpretive and environmental education programs at the Lifeboat Station, adjacent hiking trails, and the opportunity to view marine mammals in offshore waters. However, due to the severe structural instability of the marine railway and walkway piers, public access to and interpretive use of this part of the station complex is prohibited. The NPS states that:

Completing the structural stabilization of the historic facility will enable interpreters to present a more comprehensive picture of the boat launching process and other activities related to operation of the lifesaving facility. With the stabilization of the railway, interpretive programs would be expanded and enhanced to include the actual launching of a rehabilitated 36-foot rescue lifeboat.

The NPS additionally reports that:

The marine railway facility, in its present condition, is incapable of being used for its intended purpose. Preventive maintenance and other preservation activities cannot be accomplished due to the instability of the structure, resulting in accelerated deterioration.

Park visitors will continue to climb over posted "area closed" signs if the project is not funded and completed.

The marine railway system is part of the National Historic Landmark complex located within Drakes Bay. Loss of this portion of the complex would greatly reduce the historical significance of the complex and potentially damage the lifesaving station structure itself.

Collapse of this historic resource would be a loss to the National Park System. Completing the stabilization project will enable the public to experience a working lifesaving station as

it was operated in the past. This opportunity is not available anywhere else on the Pacific Coast.

Demolition and construction activities could generate minor adverse effects on recreational and interpretive activities currently available at the Lifeboat Station, due primarily to increases in noise and the presence of construction equipment and personnel. However, these activities will occur outside the peak December through March visitor period at this site and will ultimately lead to improved recreational and interpretive opportunities for the general public at the Lifeboat Station. Therefore, the Commission concludes that the proposed marine railway replacement project will avoid generating significant adverse effects on public access and recreation in and adjacent to the lifeboat station, and finds that the project is consistent with the public access and recreation policies (Sections 30211, 30212, and 30220) of the Coastal Act.



FOR ADJOINING AREA SEE PENINSULA POINTS MAP

EXHIBIT NO. 1
APPLICATION NO.
CD-016-04

[Home](#)

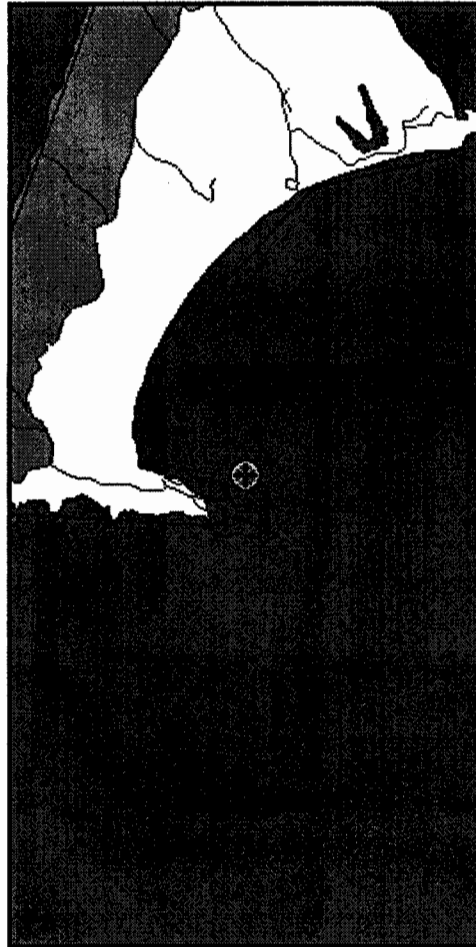
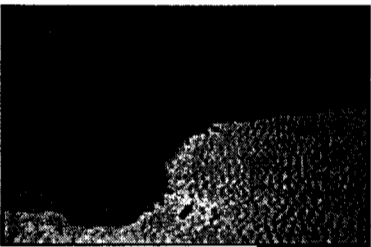
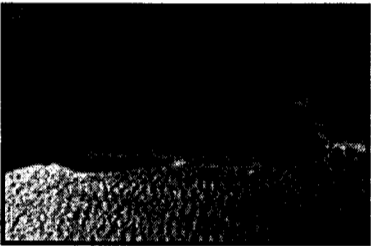
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Location

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N37 59.81 W122 58.12 Image 5387 Mon Sep 30 15:05:03 2

Point Reyes Lifeboat Station

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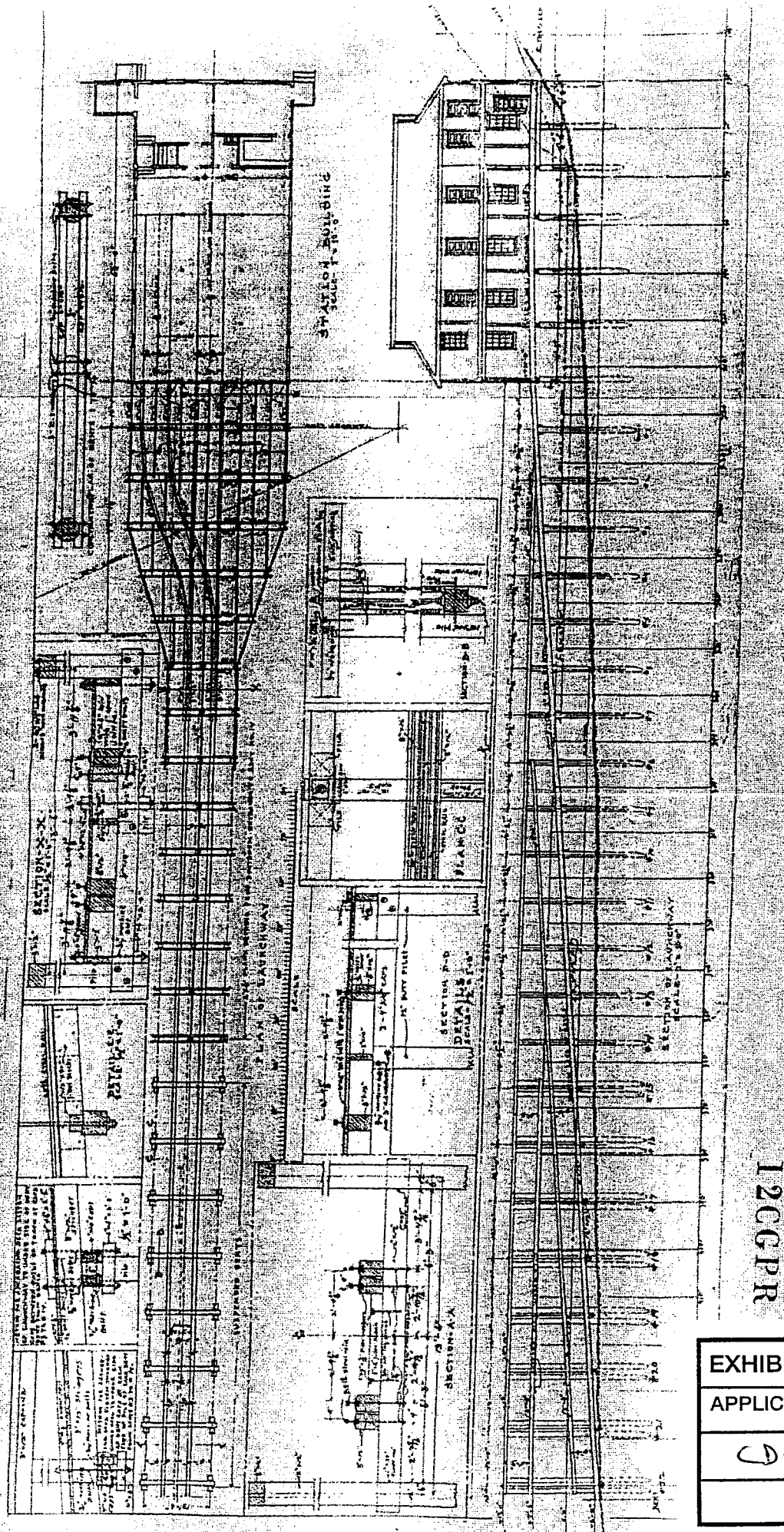
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EXHIBIT NO. 2

APPLICATION NO.

CD-016-04

Figure No. 1
As Built Plan
and Profile



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EXHIBIT NO. 3

APPLICATION NO.

CD-016-04

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CD-016-04

Figure No. 3
Typical, Launch Way

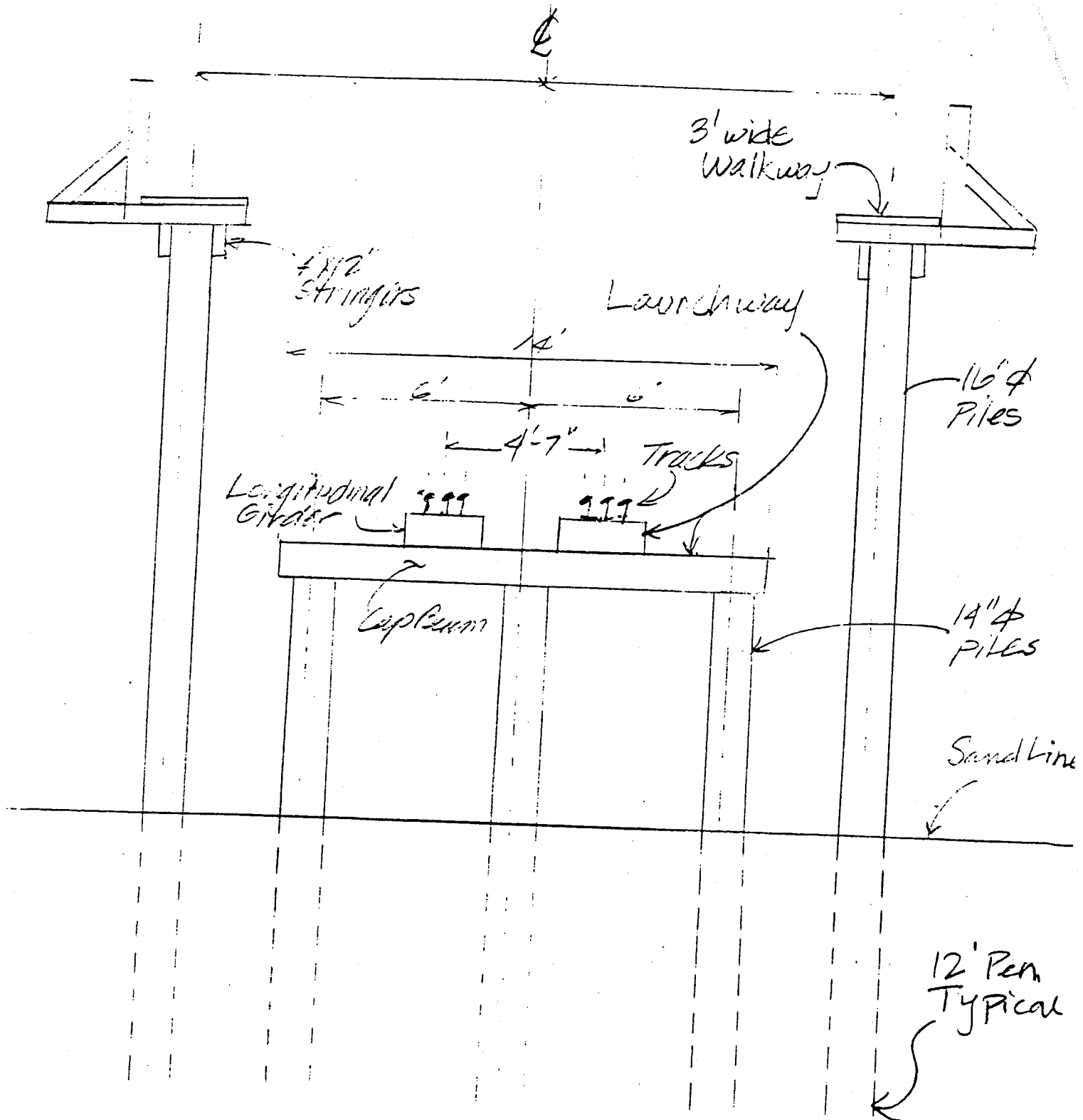
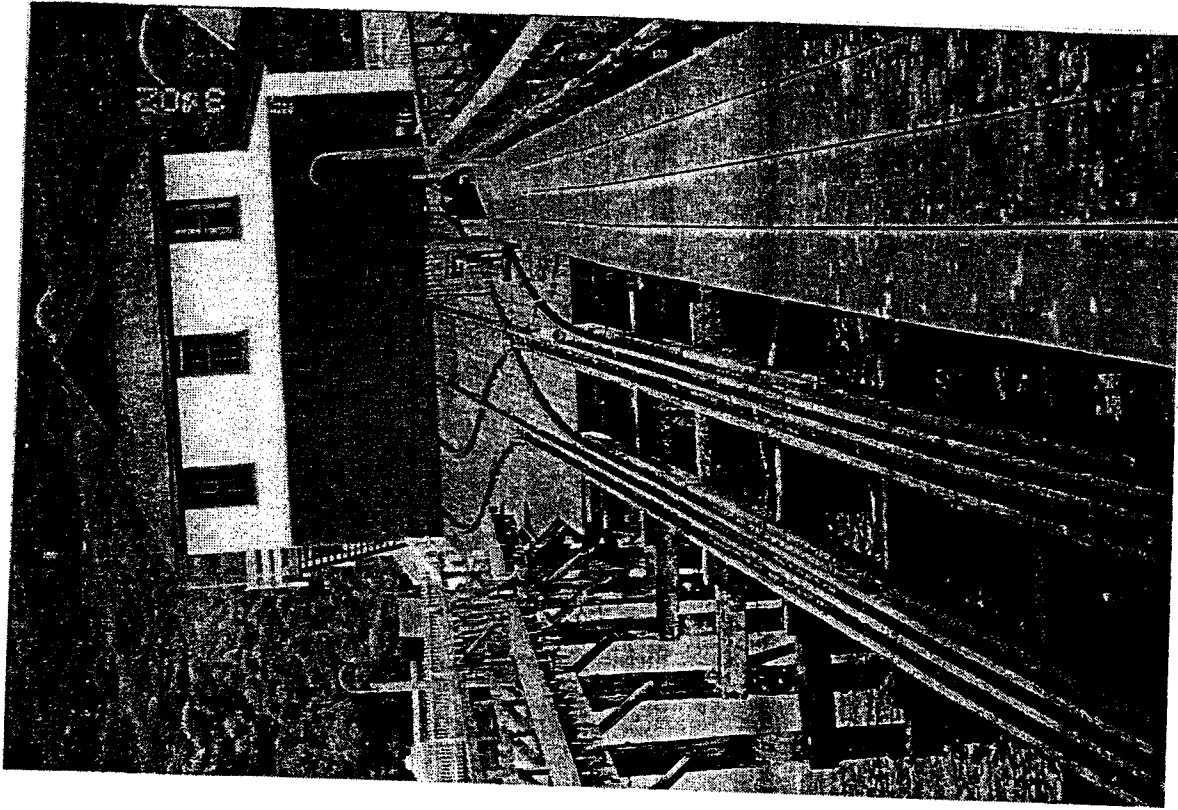


EXHIBIT NO. 5
APPLICATION NO.
CD-016-04

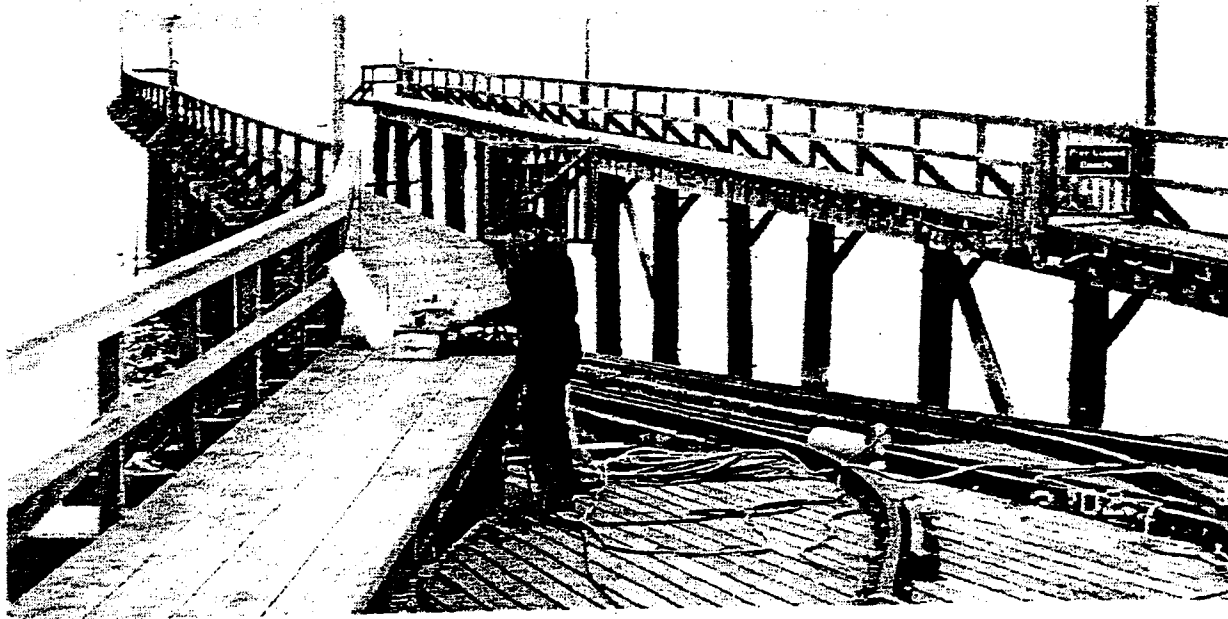


Boat House, Walkway and Launchway

EXHIBIT NO. 6

APPLICATION NO.

CD-016-04



Photograph 1 – View From Deck Down Launchway
Diving Team Recording Comments from Diver (Ph1)

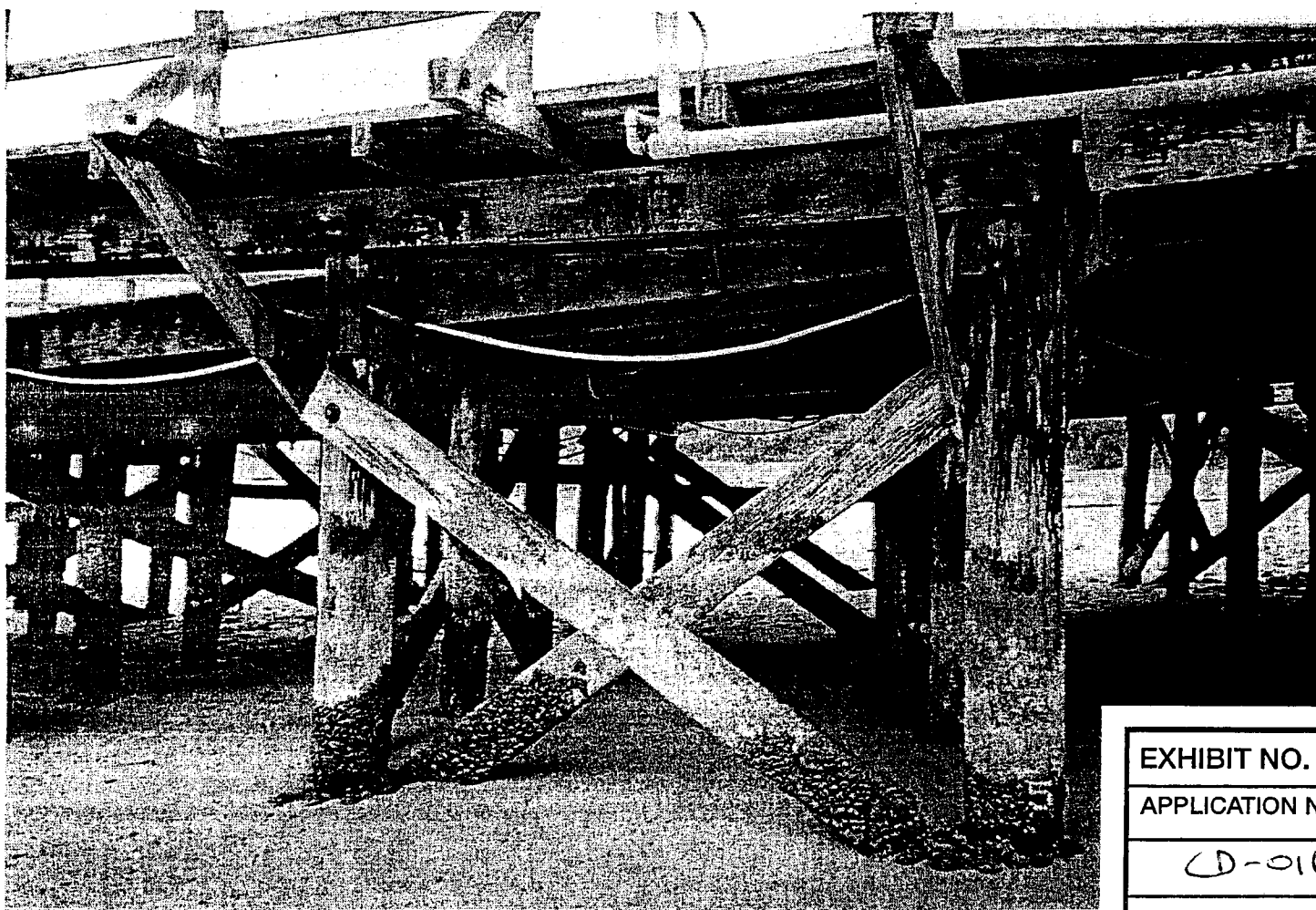


EXHIBIT NO. 7
APPLICATION NO.
CD-016-04

Typical X-Bracing on Longitudinal Frame

