

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863



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RECORD PACKET COPY

ADMINISTRATIVE PERMIT NUMBER 3-05-009

Applicant..... Transportation Agency for Monterey County (TAMC)
Project location..... Pacific Valley and Salmon Creek, Big Sur, Southern Monterey County
Project description Installation of two roadside call boxes along Highway One
Local Approvals TAMC (PLN 040632)

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:

June 9, 2005
9:00 A. M.

Sheraton Los Angeles Harbor
601 South Palos Verdes Street
San Pedro CA 90731 (310) 519-8200

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: Diane Landry
Central Coast District Manager

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. **Expiration.** Provided that development has commenced within the time period specified in the Standard Conditions listed above, this permit is valid for a term of 5 years from the date of approval. It may be periodically extended for an additional 5 years in accordance with the amendment process specified below, following a review of the preceding five year period, identification of any changed circumstances, and incorporation of any modifications needed to insure continued conformance with Coastal Act requirements. Amendment requests to extend this permit for an additional five years shall be submitted prior to the expiration date of this permit and shall toll the expiration date. Such requests shall be accompanied by evidence of a continuing public safety need.
2. **Removal.** Upon expiration of the permit after 5 years, or at a later time if this permit is extended through amendment, the above-ground elements of each call box installation shall be removed in their entirety. If acceptable to the U.S. Forest Service and, as applicable, the California Department of Transportation (Caltrans), the concrete pad may be abandoned in place (so as to avoid additional ground disturbance). Removal is hereby also authorized prior to permit expiration, at the discretion of permittee, without the need for additional coastal development permit for such demolition. Further, at any time permittee determines that there is no continuing reasonable need for either (or both) of the permitted call boxes, permittee shall promptly remove the above-ground call box elements upon making such determination. Grounds for such determination will potentially include, but not be limited to, a history of non-use by the public, technological obsolescence, or greatly improved availability of cell

phone service for the motoring public. These factors may be considered as well by the Executive Director when reviewing any future request for extension.

3. **Relocation.** In event that operational experience prior to permit expiration demonstrates that there is a need to relocate either of the permitted call boxes within the lands of Los Padres National Forest, such relocation may be effectuated through amendment to this permit. Any request for such relocation shall include evidence of continuing public safety need; evidence that the need can not be feasibly met through other, less environmentally intrusive means; a demonstration that scenic resources will continue to be protected in the manner prescribed by the policies of the Big Sur Coast Land Use Plan for public highway safety improvements; and, evidence that permittee has obtained the consent of the U.S. Forest Service and, as applicable, Caltrans.
4. **Amendment Procedures.** Any amendments or updates to this permit shall be submitted for a determination of materiality by the Executive Director. Such changes shall not become effective unless and until they have been determined by the Executive Director to be immaterial or if found to be material, have been approved by the Commission in accordance with its procedures for permit amendments.

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, will not prejudice the ability of the local government to develop a Local Coastal Program in conformity with the provisions of Chapter 3, 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

Standard of Review

The proposed development would take place on federal lands within the County of Monterey. Because of this, the County's certified Local Coastal Program (LCP)—including the Big Sur Coast Land Use Plan—can provide non-binding guidance, but the standard of review for the proposed coastal development is the Coastal Act.

Project Description and Location

The Transportation Agency for Monterey County (TAMC) has proposed 10 highway-safety call box facilities along the Highway One road right-of-way south of Carmel in Monterey County. All but two of the call boxes were located within the County of Monterey's delegated coastal permit jurisdiction and were approved by the County in December 2004. The final two call boxes

are located on federal land within Los Padres National Forest, and are therefore subject to a Coastal Development Permit directly from the California Coastal Commission. The proposed locations of the two call boxes are: 1) adjacent to the U.S. Forest Service (USFS) Station in Pacific Valley, at post-mile marker PM 14.6; and, 2) across the highway from the currently unoccupied Salmon Creek USFS Station, at PM 2.4.

Each call box consists of a 14' pole with solar panel, a 6" x 12" telephone symbol sign, a 12" x 18" identifying sign, and a green painted call box with telephone inside. The poles will be mounted onto a small concrete pad to minimize the development footprint and facilitate future removal or replacement of the units.

Coastal Act Issues

The proposed call boxes will be located within or adjacent to the Highway One road right-of-way along the southern Big Sur Coast. These areas have been improved as vehicle turnouts or parking areas for U.S. Forest Service stations. Accordingly, the sites do not harbor any environmentally sensitive habitat or pose any public access issues.

The entire Big Sur Coast segment of State Highway Route 1 is designated as a State Scenic Highway. It is also part of the National Scenic Byway system, at the highest level of designation: All-American Road. The entire corridor in view of Highway 1 is a highly scenic area within the meaning of Coastal Act Section 30251, and is defined by the Big Sur Coast Land Use Plan as "Critical Viewshed." Therefore, the main concerns with the proposed development have to do with potential visual impacts of installing the facilities within the Big Sur critical viewshed.

Visual Impacts

Section 30251 of the Coastal Act provides that the scenic and visual qualities of coastal areas be protected and preserved. New development must be sited and designed to protect views to and along the ocean and scenic coastal areas and be visually compatible with the character of the surrounding area. The Big Sur Coast Land Use Plan carries out this requirement by prohibiting all new public and private development within the Highway One critical viewshed (LUP Policy 3.2.1). Certain exceptions are potentially allowable, including highway safety improvements, although these improvements must still comply with additional visual resources policies of the LCP that protect the Big Sur Coast Highway's scenic character and recreational values (LUP Policy 3.2.5.C.1).

Both call boxes will be located in the critical viewshed of Highway One, which is defined to include all areas visible area from the highway. As part of the highway emergency communication system, they are designed to be visible. Travelers must be aware of the call boxes and be able to locate them in order to use them. As a result, public safety dictates that some amount of visual impact will occur along the highway.

Measures employed to protect the scenic resource

In order to minimize visual impacts consistent with Coastal Act and LCP policies, site and design criteria were developed to essentially balance as best as possible, the public safety objectives with scenic resource protection policies. Some examples of the criteria developed for siting the call boxes include: where appropriate, placement east of Highway One to preserve

views towards the coast; clustering the call boxes with existing development (i.e., existing signs, poles, structures, etc.) to minimize the spread of "visual clutter" along the highway; and using natural features as a backdrop (e.g., trees, landforms, etc.) to soften the visual impact of the call boxes. Examples of additional design measures employed to improve harmony with the scenic setting include the use of smaller signs, muted colors, and small footprint / foundation.

The applicants were somewhat constrained by the types of materials and paints that could be used while still meeting federal highway standards. Wood could not be substituted for metal poles because it would not meet current crash standards. Choice of colors was limited because of the need for consistency in the color of informational signs [blue] and the need to maintain functional visibility. Nevertheless, the applicants have proposed to paint the pole and call box a muted brown color instead of the standard bright yellow and to use a matte finish to reduce glare and reflection. Additionally, the call box identifying sign has also been substantially reduced from the standard 30" x 36" size to a 12" x 18" dimension to minimize impairment of public views.

Pacific Valley location

All call box locations were carefully selected to maximize visibility from Highway One while minimizing any potential visual impact--especially on views towards the coast. The chosen site for the Pacific Valley call box is on the east side of Highway One adjacent to the U.S. Forest Service ranger station complex. There are existing buildings in this location, ample parking, landscape trees and other natural features to help soften the impact of the development. The call box will be located outside of the highway right-of-way, yet within line-of-site for traveling motorists. No additional signs apart from those on the pole will be installed and no lighting is involved.

Salmon Creek location

At Salmon Creek, the proposed location for the call box is west of Highway One across from the (currently unoccupied) U.S. Forest Service Station. This site was chosen because of its proximity to existing SBC telecommunications infrastructure and excellent line-of-site visibility from both north and southbound travelers along the highway. SBC maintains a remote switching box at the rear of the turnout on the west side of Highway One. Existing topography and vegetation preclude direct ocean views at this location. As a result, the call box will be clustered with existing development and not have a significant impact on coastal views west of the highway.

Originally, the proposed location for the call box was directly adjacent to the U.S. Forest Service's parking area and Silver Peak Wilderness trailhead. This location met all the siting criteria (i.e., east of Hwy. 1, clustered with existing development, ample parking, high use area, plenty of trees and natural landforms for softening visual impact). However, there are significant short-term constraints associated with placing the call box at this location. First and foremost, the U.S. Forest Service is planning on renovating the site and possibly realigning the entrance road and parking at this location. As originally proposed, the call box would be installed generally in the area of the existing parking lot. This would place it in the middle of the future construction site. As a result, the call box would likely have to be removed or relocated during construction.

Secondly, in order to gain telephone service east of the highway, communications lines would either have to be strung overhead or trenched across or under the highway, all expensive propositions with corresponding impacts of their own. Overhead lines and additional utility poles would undoubtedly degrade the visual quality of this visitor destination. Trenching and/or directional drilling would eliminate the visual impacts of overhead lines, but significantly drive up the cost of the project. It would be difficult to justify the added expense when there is a good chance the call box will need to be relocated.

There is also the possibility that a call box at Salmon Creek is unnecessary altogether. The applicant plans to monitor use of all the call boxes along Big Sur Coast. Those that are not frequently used may ultimately be removed. Additionally, there is the potential that the Forest Service will install public pay phone service at the renovated ranger station. If this happens, the need for an emergency call box at this location may be eliminated (there is no charge for 911 emergency calls on pay phones).

For all of the above reasons, it does not appear reasonable to require placement of the call box on the east (inland) side of the highway at this time. Staff met with the applicant, Forest Service representatives, the installation contractor and SBC communication technician on site. After a visual inspection, it was determined that the call box could be clustered with existing minor structures west of the highway and not degrade coastal views of the shoreline. The parties also agreed that it would be equitable to re-visit the siting issue in a few years after the Forest Service has renovated the Salmon Creek station, entrance road, and parking area. If changed conditions warrant, the applicant will submit an application to amend its permit to remove or relocate the call box to east of the highway near the renovated site.

Conclusion

Therefore, staff is recommending Special Conditions that: 1) grant authority of this permit for a period of 5 years; 2) provide for extension, in additional 5 year increments, by amendment to this permit; and, 3) identify necessary steps for responding to changed circumstances and providing for removal / relocation of either call box if warranted. As conditioned to re-evaluate the project in 5 years and require submittal of an amending application to implement any changes, the proposed project is consistent with Section 30251 of the Coastal Act, as well as policies 3.2.1 and 3.2.5.C.1 of the Big Sur Coast Land Use Plan component of the certified Monterey County Local Coastal Program.

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)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse 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 staff report has discussed the relevant coastal resource issues with the proposal, and has recommended appropriate mitigations

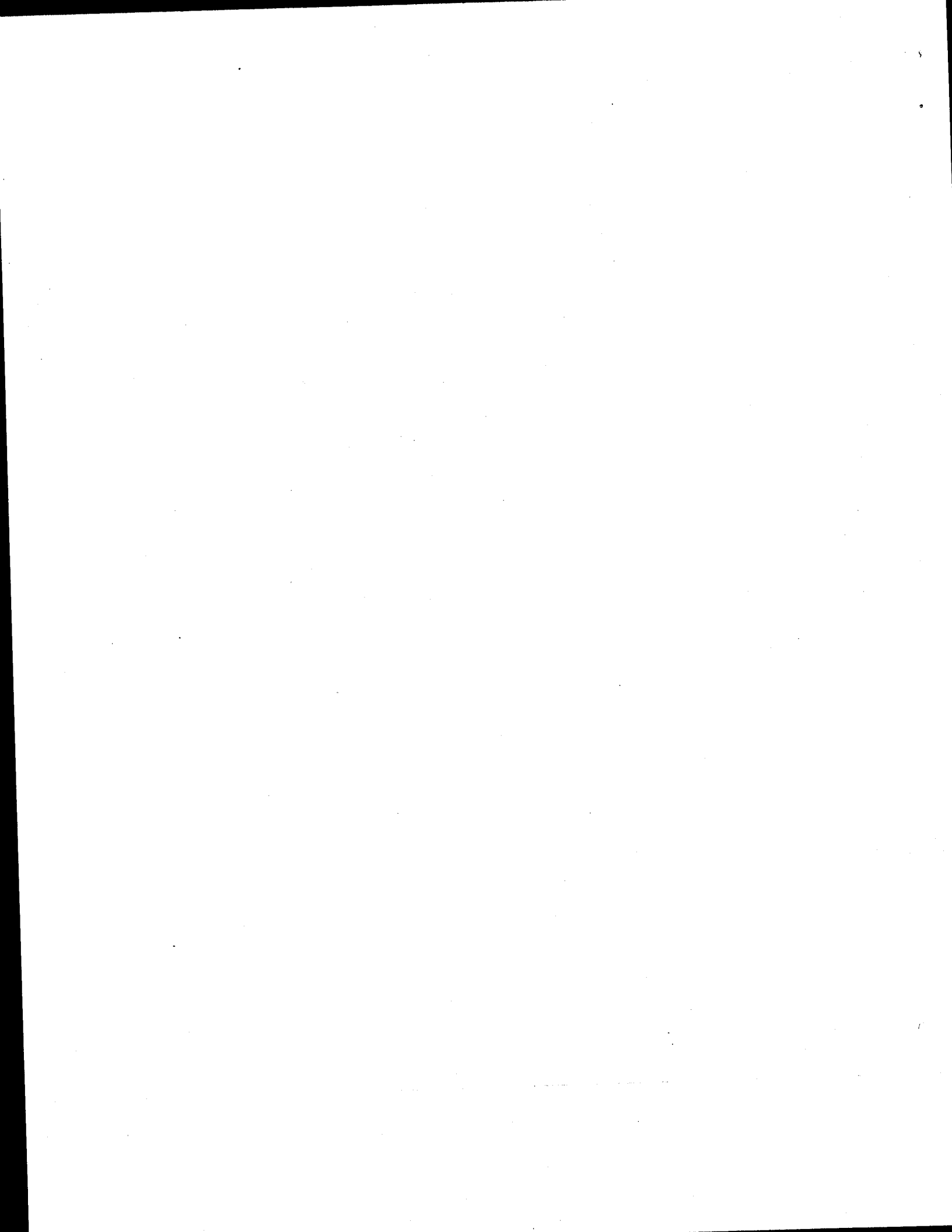
to address adverse impacts to said resources. Accordingly, the project is being approved subject to conditions that implement the mitigating actions required of the Applicant by the Commission (see Special Conditions). As such, the Commission finds that only as modified and conditioned by this permit will the proposed project not have any significant adverse effects on the environment within the meaning of CEQA.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS

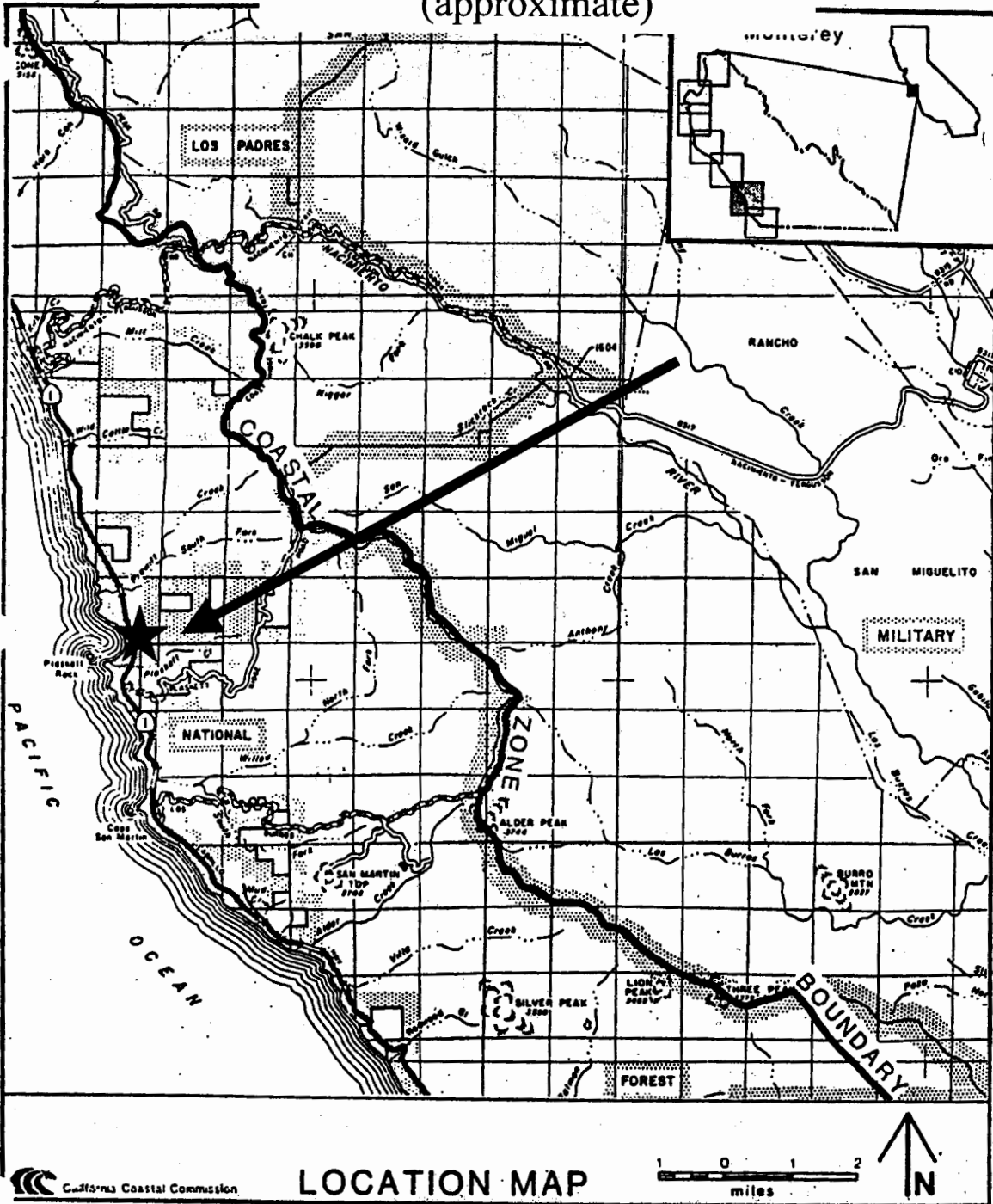
I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

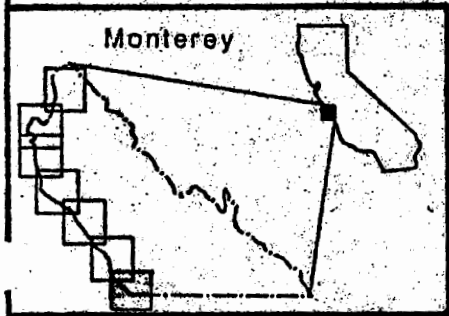
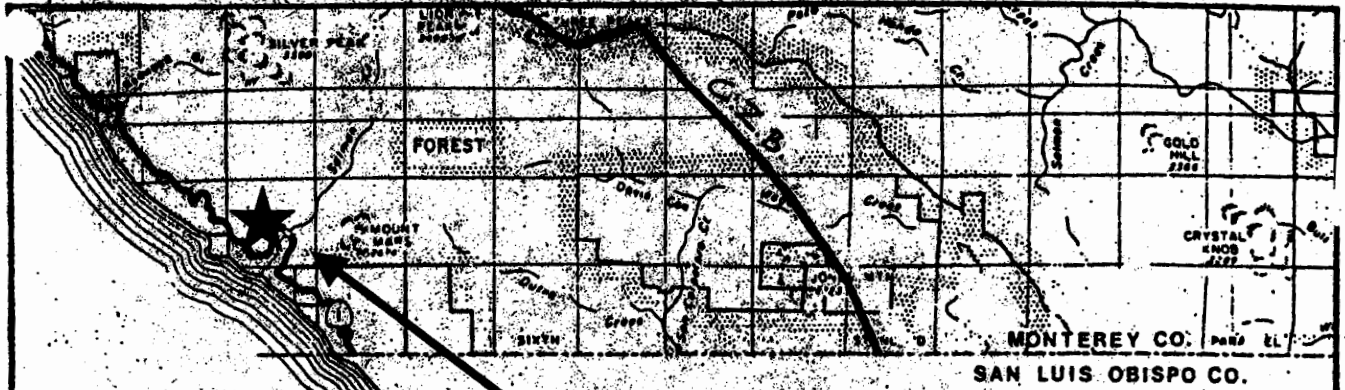
Applicant's signature

Date of signing



Project Location Pacific Valley Call Box (approximate)





Project Location
 Salmon Creek
 Call Box
 (approximate)



Photo simulations
and approximate
call box
locations.

Pacific Valley call box at PM 14.6



Salmon Creek call box at PM 2.4

