

CALIFORNIA COASTAL COMMISSION

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

W 6

DATE: August 19, 1997

TO: COASTAL COMMISSIONERS
AND INTERESTED PARTIES

FROM: MARK DELAPLAINE, FEDERAL CONSISTENCY SUPERVISOR

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

PROJECT #:	ND-069-97
APPLICANT:	Navy
LOCATION:	Naval Radio Receiving Facility, Imperial Beach
PROJECT:	Installation Of Fences And Signs
ACTION:	Withdrawn
ACTION DATE:	7/25/1997

PROJECT #:	ND-083-97
APPLICANT:	Corps of Engineers
LOCATION:	Ventura Harbor
PROJECT:	Completion Of Rockwork And Maintenance Dredging With Nearshore Disposal
ACTION:	Concur
ACTION DATE:	7/28/1997

PROJECT #:	ND-085-97
APPLICANT:	Coast Guard
LOCATION:	Humboldt Bay Harbor and Crescent City Harbor
PROJECT:	Remove And Replace Three Existing Aids To Navigation Light Structures And Associated Equipment
ACTION:	Concur
ACTION DATE:	8/18/1997

PROJECT #:	ND-087-97
APPLICANT:	Navy
LOCATION:	Naval Construction Battalion Center, Port Hueneme
PROJECT:	Demolition Of Restroom
ACTION:	Concur
ACTION DATE:	7/31/1997

PROJECT #:	ND-088-97
APPLICANT:	Fish and Wildlife Service
LOCATION:	Humboldt Bay National Wildlife Refuge
PROJECT:	Replacement Of A Dock For Non-Motorized Boats
ACTION:	Concur
ACTION DATE:	7/25/1997

PROJECT #:	ND-089-97
APPLICANT:	Corps of Engineers
LOCATION:	Morro Bay Harbor
PROJECT:	Maintenance Dredging With Nearshore And Surf Zone Disposal
ACTION:	Concur
ACTION DATE:	7/25/1997

PROJECT #:	ND-092-97
APPLICANT:	Fish and Wildlife Service
LOCATION:	Lanphere Dunes, Humboldt Bay National Wildlife Refuge
PROJECT:	Eradication Of Exotic Beachgrass From Area
ACTION:	Concur
ACTION DATE:	7/25/1997

PROJECT #:	NE-094-97
APPLICANT:	Chevron
LOCATION:	OCS-P 0215, offshore of Ventura Co.
PROJECT:	Well Abandonment
ACTION:	No Effect
ACTION DATE:	07/17/1997

PROJECT #:	ND-096-97
APPLICANT:	Navy
LOCATION:	Naval Construction Battalion Center, Port Hueneme
PROJECT:	Removal Of Debris
ACTION:	Concur
ACTION DATE:	8/1/1997

PROJECT #:	ND-097-97
APPLICANT:	Coast Guard
LOCATION:	Cape Mendocino Lighthouse, Humboldt Co.
PROJECT:	Removal Of Underground Storage Tank
ACTION:	Concur
ACTION DATE:	7/25/1997

PROJECT #:	ND-100-97
APPLICANT:	Monterey Bay National Marine Sanctuary
LOCATION:	Jade Cove, Monterey Bay National Marine Sanctuary
PROJECT:	Authorization For Jade Collection
ACTION:	Concur
ACTION DATE:	8/18/1997

PROJECT #:	ND-101-97
APPLICANT:	Coast Guard
LOCATION:	Sonoma County, Point Reyes National Seashore, Point Bonita (Golden Gate National Recreation Area), and Coast Guard Station Monterey
PROJECT:	Bay Area Communications System upgrade
ACTION:	Concur
ACTION DATE:	8/12/1997

PROJECT #:	ND-108-97
APPLICANT:	Navy
LOCATION:	Naval Air Weapons Station. Point Mugu
PROJECT:	Amendment To Previous Negative Determination (For Erosion Control) For Construction Of Access Road
ACTION:	Concur
ACTION DATE:	8/7/1997

PROJECT #:	NE-109-97
APPLICANT:	Santa Barbara Municipal Airport
LOCATION:	Santa Barbara Airport
PROJECT:	Modification To Previously Approved Project For Maintenance Yard Improvements
ACTION:	No Effect
ACTION DATE:	8/11/1997

CALIFORNIA COASTAL COMMISSION

545 REMONT STREET, SUITE 2000
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July 28, 1997

Robert S. Joe
Los Angeles District, Corps of Engineers
Planning Division
P.O. Box 2711
Los Angeles, CA 90053-2325

Attn: Stephanie Hall

RE: ND-083-97, Negative Determination for the maintenance dredging with nearshore, surf zone, or beach disposal, Ventura Harbor

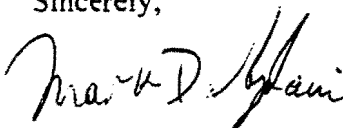
Dear Mr. Joe:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The proposed project includes maintenance dredging, with nearshore, surf zone, or beach disposal, of entrance channel and sand trap within Ventura Harbor. Specifically, the Corps proposes to dredge 380,000 to 760,000 cubic meters of material from Ventura Harbor's entrance channel and sediment trap. The Corps proposes to dredge between September 15, 1997, and March 15, 1998.

The Coastal Commission routinely authorizes negative determinations for activities affecting coastal zone resources, if the proposed activity is the same as or similar to a previously authorized consistency determination. The Commission has reviewed several consistency determinations for dredging and disposal at Ventura Harbor. These consistency determinations include CD-002-83, CD-025-84, CD-030-85, CD-051-86, CD-014-87, CD-042-88, CD-017-89, and CD-104-96. Additionally, the staff has concurred with five negative determinations for Ventura Harbor, ND-021-92, ND-035-92, ND-021-94, ND-051-95, and ND-103-96. With respect to the current project, the dredge location and volume are similar to previously approved dredge projects at Ventura Harbor. Additionally, the Commission has approved nearshore, surf zone, and beach disposal for Ventura Harbor dredging. Finally, the proposed project includes all the mitigation measures that the Commission has previously found necessary to protect federally listed endangered and threatened species (including the snowy plover and California least tern), California grunion, sand resources, and recreational resources.

In conclusion, the Coastal Commission staff agrees that the proposed project is the same as or similar to previously approved consistency determinations. 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,


(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/
ND08397.DOC

CALIFORNIA COASTAL COMMISSION

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



August 18, 1997

Dave Stalters, Chief
Environmental Division
U.S. Coast Guard
2000 Embarcadero, Suite 200
Oakland, CA 94606-5337

RE: ND-85-97 (Negative Determination, Replace Aid-to-Navigation light structures, Crescent City Harbor, Del Norte County and Humboldt Bay, Humboldt County)

Dear Mr. Stalters:

We have received your negative determination for removal and replacement of three Aid-to-Navigation light structures and associated equipment. One of the structures is located at the entrance to Crescent City Harbor. Two structures are at the entrance to Humboldt Bay. The proposed new structures are necessary due to deterioration of the existing facilities.

The project will consist of the installation of replacement light structures at each of the existing locations and removal of the existing structures upon completion of the new facilities. The new structures will be approximately the same height as the existing structures (approximately 43 feet tall).

The proposed project will not interfere with any public access or recreational use of the area. No discharge of materials will occur into the water; therefore, the project will not negatively affect water quality. Because the facilities will replace existing structures, visual resources will not be degraded.

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) 904-5297 if you have any questions.

Sincerely,

(for) Mark Douglas
Peter M. Douglas
Executive Director

cc: 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
SAN FRANCISCO, CA 94105-2219
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July 31, 1997

Ms. Beverly Damron
Department of the Navy
Naval Construction Battalion Center
1000 23rd Ave
Port Hueneme, CA 93043-4301

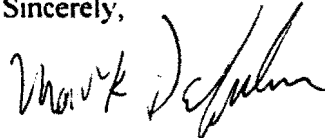
RE: ND-87-97, Negative Determination, Demolition of building, Naval Construction Battalion Center, Port Hueneme, Ventura County

Dear Ms. Damron:

The Commission staff has received the above referenced negative determination for the demolition of Building 413, a 299 square foot wood frame restroom. The facility is located within the Naval Construction Battalion Center. Removal of the structure will not adversely affect sensitive habitat, water quality, or any other resources of the coastal zone.

We therefore concur with your negative determination for this project made pursuant to Section 15 CFR 930.35(d) of the NOAA implementing regulations. Please contact Tania Pollak at (415) 904-5297 if you have any questions.

Sincerely,

(fin) 
Peter M. Douglas
Executive Director

cc: South Central Coast Area Office
NOAA
Assistant Counsel for Ocean Services
OCRM
California Department of Water Resources
Governors Washington D.C. Office

CALIFORNIA COASTAL COMMISSION

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July 25, 1997

Kim Forrest
Fish and Wildlife Service
Humboldt Bay National Wildlife Refuge
1020 Ranch Road
Loleta, CA 95551

RE: ND-088-97, Negative Determination for the replacement of a dock to be used by non-motorized boats, Humboldt Bay National Wildlife Refuge

Dear Ms. Forrest:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The proposed project includes replacement of a dock, to be used by non-motorized boats, in Hookton Slough, Humboldt Bay National Wildlife Refuge. The dimensions for this planned dock are approximately seven feet wide by 46 feet long for the access ramp and ten feet wide by 50 feet long for the dock. The access ramp will attach at the north edge of the dike that separates the parking area from Hookton Slough. The project will require driving approximately ten piles. The proposed dock will replace an existing dock of approximately the same size and at the same location.

The proposed project includes the placement of ten piles. The Coastal Act definition of fill includes placement of piles, and, normally, such projects trigger submittal of a consistency determination. However, because the project will replace an existing dock at the same location, the habitat impacts are minimal. As stated in the Service's negative determination, the project will not displace any flora or fauna. Additionally, the purpose of the dock is to support non-motorized boating activities. Thus the project will not have the water quality impacts associated with other similar facilities supporting motorized boating. Therefore, the Commission staff concludes that the project will not affect aquatic or habitat resources of the coastal zone. Finally, the project will support public access and recreational use of the refuge, and, thus, it will beneficially affect the coastal zone.

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
Executive Director

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/
ND08897.DOC

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July 25, 1997

Robert S. Joe
Los Angeles District, Corps of Engineers
Planning Division
P.O. Box 2711
Los Angeles, CA 90053-2325

Attn: Hayley Lovan

RE: ND-089-97, Negative Determination for the maintenance dredging with nearshore and surf zone disposal, Morro Bay Harbor

Dear Mr. Joe:

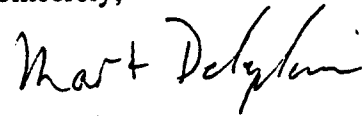
The Coastal Commission staff has received and reviewed the above-referenced negative determination. The proposed project includes maintenance dredging with nearshore and/or surf zone disposal of existing channels within Morro Bay Harbor. Specifically, the Corps proposes to dredge 400,000 cubic meters of material from three Morro Bay channels: Main, Navy, and Morro Channels. The Corps proposes to dredge between July 21, 1997, and March 1, 1998. Additionally, the Corps will not allow any surf zone disposal before September 15, 1997. The Corps assumes that material in the channels is composed predominately of sand. Concurrent with the dredging, the Corps will collect sediment samples to verify its compatibility with beach sand. If a compatibility problem occurs, the Corps will stop the project (pers. comm. Stephanie Hall, 7/25/97).

The Coastal Commission routinely authorizes negative determinations for activities affecting coastal zone resources, if the proposed activity is the same as or similar to a previously authorized consistency determination. The Commission has reviewed several consistency determinations for dredging and disposal at Morro Bay. These consistency determinations include CD-39-86, CD-11-87, CD-29-90, and CD-44-93. Additionally, the staff has concurred with two negative determinations for Morro Bay, ND-28-95 and ND-29-96. With respect to the current project, the dredge location and volume are similar to previously approved dredge projects at Morro Bay. Additionally, the Commission has approved both nearshore and surf zone disposal for Morro Bay dredging. Finally, the proposed project includes all the mitigation measures that the

Commission has previously found necessary to protect federally listed endangered and threatened species (including the snowy plover, peregrine falcon, and southern sea otter), sand resources, hard rock substrate, and recreational resources.

In conclusion, the Coastal Commission staff agrees that the proposed project is the same as or similar to previously approved consistency determinations. 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,



(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

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July 25, 1997

Kim Forrest
Fish and Wildlife Service
Humboldt Bay National Wildlife Refuge
1020 Ranch Road
Loleta, CA 95551

RE: ND-092-97, Negative Determination for the eradication of exotic beachgrass from Lanphere Dunes, Humboldt Bay National Wildlife Refuge

Dear Ms. Forrest:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The proposed project includes eradication of exotic beachgrass from Lanphere Dunes, Humboldt Bay National Wildlife Refuge. The proposed project is the final phase of a multi-year dune restoration project conducted by the Nature Conservancy. The project includes the use of a bulldozer to remove the exotic vegetation.

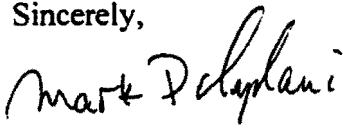
To minimize impacts to the natural dune resources, the Service will conduct a survey of the project area and dozer access route to assure avoidance of sensitive plants and wildlife. Even though there are no records of nesting snowy plovers, a federally listed threatened species, in this area, the project will occur during the non-nesting season. Thus, there will be no impacts to that species. Finally, the project will not affect access and recreation resources of the coastal zone. For the protection of sensitive habitat resources, the Nature Conservancy and the Service keep this dune area closed to public access except for guided tours on two Saturdays a month. The Service will conduct the project on weekdays, and thus will not affect the limited public access to this dune area.

The Nature Conservancy recently transferred the project site to the Service. The Nature Conservancy had originally proposed the subject project and applied for and received a coastal development permit. Thus the Service proposes to implement the project previously reviewed by the Commission (CDP 1-96-30). That permit included four special conditions, two of which are prior to issuance conditions requiring State Lands Commission and Corps of Engineers review. The Nature Conservancy complied with those conditions and the Commission staff issued the permit. Additionally, the permit conditions required submittal of monitoring reports to the Executive Director of the Commission and use of a qualified archaeologist to protect archaeological resources. According to the Service, the project still includes monitoring and the Service will forward those reports to the Commission staff (pers. comm. Kim Forrest, 7/25/97). Additionally, the Service intends to use qualified archaeologists to protect historic

resources (pers. comm. Kim Forrest, 7/25/97). Therefore, the proposed project is the same as the previously approved project.

In conclusion, the federal regulations implementing the federal Coastal Zone Management Act allow submittal of negative determinations for activities that do not effect coastal resources and for activities the same as or similar to previously reviewed projects. The Coastal Commission staff agrees that the proposed project will not adversely effect coastal zone resources and is the same as a previously approved project. 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,


(for) PETER M. DOUGLAS
Executive Director

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

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CALIFORNIA COASTAL COMMISSION

46 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2218
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July 17, 1997

Lee Bafalon
Chevron U.S.A., Inc.
646 County Square Drive
Ventura, CA 93003

RE: NE-094-97, No-Effects Determination for the permanent abandonment of Well
215 #1, OCS-P-0215

Dear Mr. Bafalon:

The Coastal Commission staff has received and reviewed the above-referenced no-effects determination for the removal of the well-head assembly from abandoned subsea exploration well 215 #1, located within OCS Lease No. OCS-P-0215, approximately 3 miles seaward of the California Coastal Zone.

The proposed project has the potential to affect the Coastal Zone in the following ways:

- Improper deployment or retrieval of the work vessel anchors could damage the Platform Gilda 12-inch pipeline, which is located within approximately 150 feet of the well, resulting in a worst case oil spill scenario of a release of 587 bbl of crude oil. The Minerals Management Service (MMS) indicates that the most probable spill scenario would result in a release of less than 60 bbl.
- The use of explosives to sever the well-head assembly may harm marine wildlife that range into the Coastal Zone.

To address these potential effects, the MMS is requiring mitigation measures, including an Anchoring Plan, an Oil Spill Contingency plan, and a Wildlife Mitigation Plan. By complying with the Anchoring Plan and the Wildlife Mitigation Plan, Chevron will avoid any effects to coastal resources. In addition, if an oil spill does occur due to failure to comply with the Anchoring Plan, Chevron's Oil Spill Contingency Plan will minimize the risk that such a spill will affect coastal resources. Therefore, the Commission staff has determined that the proposed project will not affect the Coastal Zone.

Anchoring Plan

The project anchoring plan identifies the location of the pipeline relative to the anchor positions. The work vessel anchors will be set and recovered using an anchoring assist vessel. The MMS is unaware of any instance where anchoring in accordance with such procedures has resulted in pipeline damage. The MMS has stated that the project Anchoring Plan significantly reduces the risk that project activities will damage the crude oil pipeline.

Oil Spill Contingency Plan

Pursuant to the project Oil Spill Contingency Plan, the work vessel D/B Sampson will have on board the following spill response equipment:

- approximately 50 feet of sorbent boom;
- five bundles of sorbent pads; and
- a seep containment tent including oil recovery/storage capability the equipment.

First response to a spill beyond the capability of the equipment onboard the D/B Sampson will be directed by the Operations Supervisor on Chevron's Platform Gail. Spill response capability is available within less than 20 minute deployment time from Platforms Gail, Grace and Gilda and includes:

- 4,500 feet of open ocean containment boom;
- two skimmers;
- two boom boats (and an additional backup boat);
- two crew boats; and
- trained and experienced personnel.

The Clean Seas Cooperative will be alerted prior to commencement of the critical operations. A Clean Seas vessel is capable of responding to a spill at the project location within one hour.

As discussed above, proper implementation of the Anchoring Plan will prevent an oil spill from occurring. If oil is spilled due to failure to comply with the Anchoring Plan, the spill response capabilities described in the Oil Spill Contingency Plan will significantly reduce the risk of an effect to the Coastal Zone.

Wildlife Mitigation Plan


In accordance with the Wildlife Mitigation Plan (as revised through July 16, 1997), a team from the Marine Mammal Consulting Group will monitor a 1,000-yard-radius safety zone around the well-head detonation site to assure that no marine mammals, birds, sea turtles, and appreciable numbers of fish are present within the safety zone prior to detonation. Monitoring operations will include two research vessels, one aircraft, and divers. Detonation will only occur when the monitoring team has confirmed that the area is clear. The Commission staff has determined that the measures required under the Wildlife Mitigation Plan are sufficient to prevent the detonation from affecting marine wildlife in the Coastal Zone.

Conclusion

The Coastal Commission staff agrees that with the mitigation measures included under the MMS Sundry Notice, the proposed abandonment project will not affect coastal zone

resources. We, therefore, concur with the no-effects determination made pursuant to 15 C.F.R. § 930.70. If the MMS or the applicant modifies the project description or conditions contained in the Sundry Notice in a manner that changes the project's Anchoring Plan, Oil Spill Contingency Plan, or Wildlife Mitigation Plan, the applicant must coordinate with Commission staff to determine if there are any new or different effects on coastal resources that requires additional Commission review. If you have any questions, please contact Chris Kern of the Coastal Commission staff at (415) 904-5268.

Sincerely,


PETER M. DOUGLAS
Executive Director

cc: OCRM
NOAA Assistant Administrator
Assistant General Counsel for Ocean Services
Minerals Management Service
Governor's Washington D.C. Office

CALIFORNIA COASTAL COMMISSION

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August 1, 1997

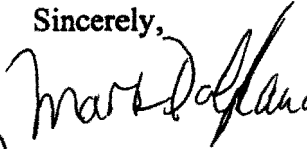
LCDR H.A. Bouika
Environmental Officer
Department of the Navy
Naval Construction Battalion Center
1000 23rd Ave.
Port Hueneme, CA 93043-4301

RE: **ND-96-97** Negative Determination, Temporary Storage/Removal of Debris, West Jetty,
Naval Construction Battalion Center, Port Hueneme, Ventura County

Dear LCDR Bouika:

The Coastal Commission staff previously objected to your negative determination for the temporary storage and removal of construction debris on the beach front area of the West Jetty, located at the Naval Construction Battalion Center (NCBC) in Port Hueneme (ND-61-97). Our objection was based in part on incomplete information, and your July 7, 1997, response adequately responds to the points in our letter. The temporarily stored debris will be cleaned up in the next few weeks, the material does not contain hazardous substances, and the affected areas were not environmentally sensitive from a habitat perspective. Accordingly, as modified in your July 7, 1997, letter, we are now able to **agree** with the Navy that the project will not affect coastal resources, and we 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 questions.

Sincerely,


(PMD) PETER M. DOUGLAS
Executive Director

cc: Ventura Area Office
NOAA
Assistant Counsel for Ocean Services
OCRM
Governors Washington D.C. Office
California Department of Water Resources
Corps of Engineers, Ventura Field Office
RWQCB, Los Angeles Region

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July 25, 1997

Dave Stalters
Coast Guard
Civil Engineering Unit Oakland
2000 Embarcadero, Suite 200
Oakland, CA 94606-5337

Attn: Louis Rivero


RE: ND-097-97, Negative Determination for the removal of underground storage tank,
Cape Mendocino Lighthouse, Humboldt County.

Dear Mr. Stalters:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The proposed project includes removal of a underground storage tank at the Cape Mendocino Lighthouse, Humboldt County. The Coast Guard is no longer using the tank and intends to remove it before it creates an environmental hazard. As far as the Coast Guard can determine, there is no current ground water contamination problem from this tank. The area is a disturbed site that does not contain any habitat values. The Coast Guard will restore the site to its original condition. The project will not interfere with existing access use of the area.

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
Executive Director

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

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
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August 18, 1997

Joanne Flanders, Acting Manager
Monterey Bay National Marine Sanctuary
299 Foam St. Suite D
Monterey, CA 93940

RE: ND-100-97 (Negative Determination, Jade Collection, Jade Cove, Monterey County)

Dear Ms. Flanders:

We have received your negative determination to allow limited jade collection at the Jade Cove area, south of Big Sur. Current Sanctuary regulations prohibit collection of jade within the Sanctuary boundaries, including at Jade Cove. However, jade collection has been occurring in the Jade Cove area for several decades prior to the Sanctuary designation.

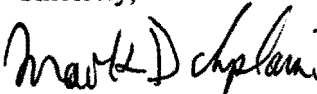
To minimize impacts to marine and coastal resources, the Sanctuary proposes several restrictions:

1. Collection is allowed only for loose pieces of jade. Pieces of jade that are attached to the seafloor will not be allowed to be collected.
2. No pneumatic, mechanical, electrical, hydraulic, or explosive tools will be allowed for the collection of jade. Only hand-held tools will be allowed to assist with collection of jade.
3. Lift bags not to exceed two hundred pounds will be allowed per person for collection.

With these measures, impacts to coastal zone resources from the proposed project will be minimal. Disturbance to the seabed and benthic communities will not be significant. Water quality will not be significantly affected with the restrictions on mechanical and explosive tools. No federally or state listed threatened or endangered species will be affected.

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) 904-5297 if you have any questions.

Sincerely,


(for)

Peter M. Douglas
Executive Director

cc: Central 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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VOICE AND TDD (415) 904-5200



August 12, 1997

David Sox
U.S. Coast Guard
Maintenance and Logistics Command Pacific Division
Coast Guard Island
Alameda, CA 94501-5100

RE: ND-101-97, Negative Determination for the Bay Area Communications System upgrade at six existing Coast Guard sites in Mount Jenner in Sonoma County, Point Reyes National Seashore, Point Bonita (Golden Gate National Recreation Area), and Coast Guard Station Monterey

Dear Mr. Sox:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The proposed project includes Bay Area Communications System upgrade at six existing Coast Guard sites in Mount Jenner in Sonoma County, Point Reyes National Seashore, Point Bonita (Golden Gate National Recreation Area), and Coast Guard Station Monterey. The specific descriptions are as follows:

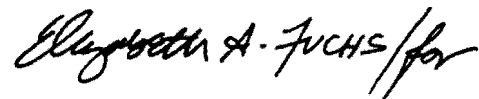
- Mt. Jenner (located just east of the coastal zone boundary in Sonoma County and includes installation of a new dish antenna on an existing tower, construction of an eighty-square-foot equipment shelter, and excavation of a 25-foot trench);
- Point Reyes Repeater Site (located in Point Reyes National Seashore and includes replacement of an existing 80-foot tower with one of similar height, replacement of four dish antennas, and excavation of a 25-foot trench);
- CAMSPAC, Receiver Site (located in Point Reyes National Seashore and includes replacement of an existing 40-foot tower with one of similar height and installation of one dish antenna);
- CAMSPAC, Transmitter Site (located near the town of Bolinas in Marin County and includes replacement of two new dish antennas on an existing 90-foot tower and excavation of a 50-foot trench);
- Point Bonita (located in southern Marin County and includes replacement of one new dish antenna and removal of one antenna); and

- Monterey Station (located at the existing Coast Guard facility within the City of Monterey and includes replacement of two dish antennas on an existing 60-foot tower, construction of an eighty-square-foot equipment shelter, and excavation of a 25-foot trench).

All these communication upgrades involve modifications and replacements at existing communication sites. The Coast Guard's projects do not involve significant changes to developed characteristics of these sites. These projects **do not** include additional towers at any of these locations. For those projects that include tower replacement, the Coast Guard will reconstruct towers of similar size. Since these projects will not change the character of the existing facilities and the Coast Guard will construct them at existing developed sites, they will not affect visual or habitat resources of the coastal zone. Additionally, the Coast Guard owns or leases the proposed project sites and it currently restricts and manages public use of these areas based on its policies and needs. The proposed project will not change the current limitations and management of public use and, therefore, they will not affect access and recreational resources of the coastal zone. Therefore, the Commission finds that these projects are consistent with the visual, habitat, access, and recreation policies of the CCMP.

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
Executive Director

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
ND10197.DOC

CALIFORNIA COASTAL COMMISSION

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



August 7, 1997

Vivian Goo
Deputy Public Works Officer
Department of the Navy
Naval Air Weapons Station
Point Mugu, CA 93042-5001

RE: ND-108-97 (Modification to ND-20-96), Negative Determination, Hillside Erosion Repair,
Naval Air Weapons Station, Point Mugu, Ventura County

Dear Ms. Goo:

The Commission has received your proposal to modify ND-20-96, a project to repair hillside erosion, located on Laguna Peak at the Naval Weapons Station, near water tanks 90 and 91. We concurred with your negative determination for the original project on March 19, 1996. The proposed modification is to include a construction access route. With this route included, the disturbance area for the project will increase from .25 acres to .4 acres. However, the disturbance will be temporary; the contractor will return the area to the pre-project condition.

As with the original proposal, there will be no long-term adverse impacts to coastal resources from this project. No endangered or threatened species are found on the site. Long-term aesthetics of the area will not be impacted.

We therefore concur with the modified negative determination for this project made pursuant to Section 15 CFR 930.35(d) of the NOAA implementing regulations. Please contact Tania Pollak at (415) 904-5297 if you have any questions.

Sincerely,

Mark Douglas
(for) Peter M. Douglas
Executive Director

cc: South Central 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
SAN FRANCISCO, CA 94105-2219
AND TDD (415) 904-5200

**Jurisdiction Letter**Date: August 11, 1997

Sonia E. Ohlig, P.E.
Project Engineer
Santa Barbara Municipal Airport
601 Firestone Road
Goleta, CA 93117

Project: **NE-109-97, modifications to the previously approved Manitenance Yard improvements, including replacement of 85 feet of existing pipe with larger PVC pipe and placement of rip rap at the end of the storm drain outlet.**

Coastal Commission file no. (if applicable): NE-109-97
U.S. Army Corps of Engineers Notice No. (if applicable): _____
If a nationwide permit, NWP number _____

The Coastal Commission staff has received your request to identify Commission jurisdiction for the purposes of processing an individual, nationwide, general or regional permit from the Army Corps of Engineers (Corps). Pursuant to the federal Coastal Zone Management Act (CZMA), the Corps cannot issue a permit for an activity, either in or out of the coastal zone, that affects land and water uses or natural resources of the coastal zone until the applicant has complied with the requirements of Section 307(c)(3)(A) of the CZMA. (16 USC Section 1456[c][3][A].) The applicant can meet these requirements by receiving a Commission concurrence with either (1) a consistency certification prepared by the applicant or (2) a showing that the activity does not affect the coastal zone. Alternatively, the applicant can satisfy these requirements by the issuance of a Commission approved coastal development permit. Since the Commission cannot delegate federal consistency authority to local governments, a coastal development permit issued by a local agency does not replace the requirement for a consistency certification. However, if an activity is within the Ports of San Diego, Long Beach, Los Angeles, or Port Hueneme and is identified in the Commission certified Port Master Plan, then no consistency certification is necessary.

The Coastal Commission staff has reviewed the information submitted for the above-referenced project, and has concluded that it:

Is not within the coastal zone and does not affect the coastal zone. Therefore no further Coastal Commission review is necessary.

Is a non-federal activity within the coastal zone and is in an area where the Commission has not delegated permit authority to the appropriate local agency. Therefore, it needs a coastal development permit from the Commission. Contact our South Central Coast Area Office (see addresses on the following page) for details and permit application form. (Note: Receipt of a Coastal Commission-issued coastal development permit satisfies federal consistency requirements.)

Is a federally permitted activity within or affecting the coastal zone and does not otherwise need a coastal development permit from the Commission. Therefore, this project needs a consistency certification. Contact **Jim Raives at (415) 904-5292** for information on the federal consistency process. (Note: Receipt of a local government-issued coastal development permit, as opposed to a Coastal Commission-issued coastal development permit, does not satisfy federal consistency requirements.)

Is within or potentially affects the coastal zone and is a federal agency activity. Therefore it needs a consistency determination (or, at a minimum, a negative determination). Contact **Jim Raives at (415) 904-5292** for information on the federal consistency process.

Is within the port of San Diego, Long Beach, Los Angeles, or Port Hueneme and is consistent with a certified Port Master Plan. Therefore, no further Coastal Commission review is necessary.

Is within one of the above ports but is not consistent with a certified Port Master Plan. Therefore, a Port Master Plan amendment is necessary.

We have insufficient information on the project location or details to determine jurisdiction. Please provide the following information:

The Coastal Commission declines to assert federal consistency jurisdiction, due to the fact that: (1) this project has or will receive a locally issued coastal development permit and is located within an area where such permits are appealable to the Coastal Commission; and (2) the proposed project does not significantly affect coastal resources or raise coastal issues of greater than local concern.

Signed,



JAMES R. RAIVES

Federal Consistency Coordinator

cc: South Central Coast Area Office
LA-Dist., COE, Ventura Field Office