

CALIFORNIA COASTAL COMMISSION

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



RECORD PACKET COPY

Tu 12

DATE: February 13, 2002

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-095-01
APPLICANT:	Army
LOCATION:	Moss Landing, Monterey Co.
PROJECT:	Three-day practice landing exercise
ACTION:	Concur
ACTION DATE:	1/23/2001

PROJECT #:	ND-098-01
APPLICANT:	Army Corps
LOCATION:	Aliso Creek, Orange Co.
PROJECT:	Streambed Stabilization
ACTION:	Object
ACTION DATE:	01/22/2002

PROJECT #:	ND-102-01
APPLICANT:	National Park Service
LOCATION:	Wilkins Ranch, Bolinas, Marin Co.
PROJECT:	Rehabilitate existing ranch for visitor use
ACTION:	Concur
ACTION DATE:	01/24/2002

PROJECT #:	ND-109-01
APPLICANT:	Immigration and Naturalization Service
LOCATION:	U.S. Mexican Border, San Diego
PROJECT:	Replace shoreline segment of existing border fence
ACTION:	Concur
ACTION DATE:	02/11/2002

PROJECT #:	ND-110-01
APPLICANT:	National Park Service
LOCATION:	Lagoon Creek, Redwood National Park, Humboldt Co.
PROJECT:	Replace restroom
ACTION:	Concur
ACTION DATE:	01/16/2002

PROJECT #:	ND-004-02
APPLICANT:	Army Corps
LOCATION:	San Francisco Main Ship Channel, San Francisco
PROJECT:	Maintenance dredging
ACTION:	Concur
ACTION DATE:	02/01/2002

PROJECT #:	NE-005-02
APPLICANT:	City of Santa Barbara
LOCATION:	Shoreline Park, Santa Barbara
PROJECT:	Reconstruct beach access stairways
ACTION:	Concur
ACTION DATE:	1/31/2002

PROJECT #:	ND-007-02
APPLICANT:	Coast Guard
LOCATION:	Communication Area Master Station Pacific, Marin Co.
PROJECT:	Replace three antennas with two new antennas
ACTION:	Concur
ACTION DATE:	02/01/2002

PROJECT #:	ND-008-02
APPLICANT:	Army Corps
LOCATION:	Oceanside, San Diego Co.
PROJECT:	Maintenance dredging, Oceanside Harbor
ACTION:	Concur
ACTION DATE:	02/04/2002

CALIFORNIA COASTAL COMMISSION

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January 23, 2002

Mark Evans
U.S. Army
481st Transportation
1480 Railroad Avenue, Bldg. 597
Vallejo, CA 94592

RE: **ND-095-01**, Negative Determination for Army Reserve exercise at
Moss Landing, Monterey County.

Dear Captain Evans:

The Coastal Commission staff has received and reviewed the above-referenced negative determination, which provides for a three-day Army practice landing operation on the beach adjacent to Moss Landing Harbor. The Army proposes to sail up to four vessels, permitting only two at a time to land on this beach, which is immediately south of the south jetty. The operation includes the use of up to eight HMMWV (High Mobility Multipurpose Wheeled Vehicles) and one bulldozer. The bulldozer will move sand for a ramp for the vehicles to exit the vessel. The Army will conduct the total operation between February 1 and 3, 2002. The first vessel will approach the shore at about 4:00 a.m. on February 2, 2002, and the last vessel will depart at approximately 11:00 p.m. on February 2, 2002 (February 1 and 3, 2002, are transit days to and from Moss Landing). The exercise includes the set up of one tent to house fifteen people during February 1 to February 3, 2002. The exercise includes the placement of a semi-trailer with communications equipment on Sandholdt Road near the entrance to the beach. This equipment will not be moved on to the beach.

The Commission staff believes that the proposed activity will not significantly affect coastal resources. Although the activity is occurring on a public beach on a weekend, the access impacts will not be significant because of the short duration of the exercise and because it is occurring in February when public use of the beach is low. The proposed operation will be located near an area that supports coastal dune habitat. The Army proposes to mark this sensitive dune habitat as off limits to vehicular and foot traffic. Therefore, the project will not significantly affect this sensitive resource. The project also includes measures to minimize the inadvertent discharge of oil or fuel. These measures include the following: 1) no operation of vehicles with leaks of any fluid; 2) inspect all vehicles prior to loading on the vessel; 3) use drip pans under parked vehicles; 4) minimize the duration of time that vehicles are parked on the beach; and 5) no refueling will occur during this operation. With these measures, the project will not affect water quality resources of the coastal zone.

Finally, the Army proposes to restore the beach to its original condition to the extent feasible. This restoration includes redistributing sand in manner similar to its original profile. In addition, the Army will clean up the operation area and, if time permits, will conduct trash clean up on adjacent beaches.

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 CFR Section 930.35. If you have any questions, please contact James R. Raives of the Coastal Commission staff at (415) 904-5292.

Sincerely,

Mark DeLapina
(for) PETER M. DOUGLAS
Executive Director

cc: Central Coast Area Office
Moss Landing Harbor District
Monterey Bay Aquarium Research Institute

PMD/JRR

CALIFORNIA COASTAL COMMISSION

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



January 22, 2002

Ruth Bajza Villalobos
Los Angeles District, Corps of Engineers
Planning Division
P.O. Box 532711
Los Angeles, CA 90053-2325

Attn: Jodi Clifford

RE: **ND-098-01**, Negative Determination for the Aliso Creek Streambed Stabilization, Orange County.

Dear Ms. Villalobos:

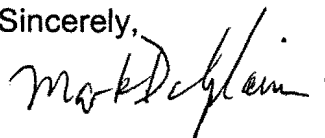
The Coastal Commission staff has received and reviewed the above-referenced negative determination. The Corps proposes to construct a sloping grouted-stone grade control structure to protect the existing bridge abutments. The structure has a crest elevation at the upstream end of 8.8 meters (28.9 feet) and a length of 18.5 meters (60.8 feet). The thickness of the entire grouted stone structure would be 0.6 meters (24 inches). The proposed project would replace an existing grouted structure. The project also includes the construction of a fish passage (low flow channel) through the site and the placement of large stones in the channel to dissipate energy and provide fish resting areas. The purpose of the project is to protect a bridge that provides access to a wastewater treatment plant and supports pipes used for the transport of wastewater and reclaimed water. Stream erosion has resulted in the exposure of footings for the bridge abutments above the stream invert. The existing condition represents a risk of failure of the bridge, which would result a loss of access to the treatment plant and the discharge of raw and treated sewage.

According to the negative determination, the area of impact from this project is limited to previously disturbed areas. However, this statement is inconsistent with identified long-term effect of a loss of 0.25 acres of open water and 0.13 acres of riparian and upland habitats. The Commission staff requested further

clarification of this issue in order to resolve this inconsistency. To date, we have not received any additional information. Without this information, the Commission staff concludes that the loss of open water, riparian, and upland habitats from the proposed project are effects on coastal resources, triggering the need for a consistency determination.

In conclusion, the Coastal Commission staff disagrees with the Corps' conclusion that the proposed project will not affect coastal zone resources. We, therefore, object to the negative determination made pursuant to 15 CFR Section 930.35. If you have any questions, please contact James Raives of the Coastal Commission staff at (415) 904-5292.

Sincerely,


(for) PETER M. DOUGLAS
Executive Director

cc: South Coast Area Office

PMD/JRR

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
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January 24, 2002

Don L. Neubacher
National Park Service
Point Reyes National Seashore
Point Reyes, CA 94956

Attn: Don Neubacher

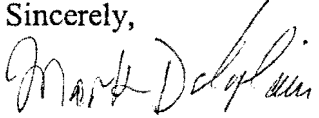
RE: **ND-102-01**, Negative Determination, National Park Service (NPS), Wilkins Ranch Rehabilitation and Public Use Project, North of Bolinas Lagoon, Point Reyes National Seashore

Dear Mr. Neubacher:

The Coastal Commission staff has received and reviewed the above-referenced negative determination, for the proposed rehabilitation of existing historic structures, upgrading septic and water systems, and enhancement of two existing trails at Wilkins Ranch, north of Bolinas Lagoon, in Marin County. Although informal consultation is underway with the U.S. Fish and Wildlife Service, the project will not adversely affect any listed or endangered species. Habitat for the Northern Spotted Owl will be avoided, and trail construction activities will not be conducted during the nesting season. The Park Service will provide fencing to protect riparian areas and red-legged frog habitat during the rehabilitation process. Adequate water quality control measures will be taken to ensure that sediments or construction debris do not affect Bolinas Lagoon or other nearby streams. Lastly, a Park Service historic architect will monitor all re-constructive work on historic structures, and should any archeological or cultural material be discovered, an NPS Regional Archeologists will be consulted and work will be stopped.

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 CFR Section 930.35. If you have any questions, please contact Kathleen Stycket of the Coastal Commission staff at (415) 904-5295.

Sincerely,


(for) PETER M. DOUGLAS
Executive Director

cc: North Central Coast Area Office

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
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January 16, 2002

Andrew Ringgold, Superintendent
U.S. Dept. of the Interior
California Dept. of Parks and Recreation
Redwood National and State Parks
1111 Second Street
Crescent City, CA 95531

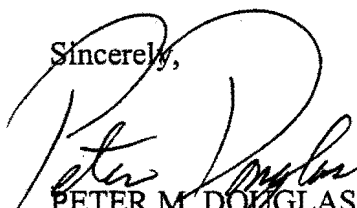
RE: **ND-110-01** Negative Determination, National Park Service, Restroom replacement,
Lagoon Creek, Redwood National Park, Humboldt Co.

Dear Mr. Ringgold:

The Coastal Commission staff has received the above-referenced negative determination for the replacement of an existing restroom in the Lagoon Creek day-use picnic area in Redwood National Park. The restroom would facilitate public access and recreation and has been designed to be visually compatible with the surrounding forest and to match other restrooms in the park. It would be 10 ft. high, 452 sq. ft. in area, and in the same location as the existing restroom, which would be removed. The walls would be wood, and the roof concrete, but designed to resemble cedar shakes. Both walls and roof would be brown. Water quality in the lagoon would be protected through the use of Best Management Practices during construction. The restroom would be connected to the existing sewer system.

We agree with the Park Service that the project will not adversely affect coastal zone 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 any questions.

Sincerely,


PETER M. DOUGLAS
Executive Director

cc: North Coast Area Office
California Department of Water Resources
Governors Washington D.C. Office
Aida Parkinson (Redwood National Park
Arcata Office, 1125 16th St.
Arcata CA 95521)

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February 1, 2002

Roderick A. Chisholm, II
San Francisco District, Corps of Engineers
311 Market Street
San Francisco, CA 94105-2197

Attention: Roger Fernwood

Re: ND-004-02, Negative Determination for maintenance dredging of the San Francisco Main Ship Channel.

Dear Mr. Chisholm:

The Commission staff has received the above-referenced negative determination. The proposed project involves maintenance dredging of approximately 200,000 cubic yards of material with disposal at SF-8, an authorized dredged material disposal site for material dredged from the Main Ship Channel.

Past sediment testing data indicates that the material removed from the Main Ship Channel is between 98.6 and 100 percent sand and relatively free of chemical contaminants. The proposed disposal at SF-8, located just south of the Main Ship Channel, will not adversely affect sand supply. That site is located within the littoral system and sand placed there will serve to replenish down coast beaches. Therefore, the proposed project will benefit local sand supply. In addition, the Commission has previously reviewed and authorized maintenance dredging of the Main Ship Channel with disposal at SF-8 (CD-2-87, CD-12-88, ND-4-93, ND-4-95, ND-10-98, ND-18-00, and ND-9-01). The proposed project is similar in size and scope to these previously reviewed projects.

In conclusion, the Commission staff agrees with the Corps' determination that the proposed project will not significantly affect coastal resources and that it is the same as or similar to previously reviewed projects. Therefore, the Commission staff concurs with the Corps' negative determination made pursuant to 15 CFR §930.35. If you have any questions, please contact James Raives of the Commission staff at (415) 904-5292.

Sincerely,

A handwritten signature in dark ink, appearing to read "Peter M. Douglas".

PETER M. DOUGLAS
Executive Director

cc: North Central District Office

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
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January 31, 2002

Amy Wilke Pryor
Public Works Department
630 Garden Street
P.O. Box 1990
Santa Barbara, CA 93102-1990

Re: NE-005-02, request for a consistency certification waiver for the reconstruction of public beach access stairways, Shoreline Park, Santa Barbara.

Dear Ms. Pryor:

The Commission staff has received the above-referenced request for a consistency certification waiver. The City proposes to replace stairs leading to Shoreline Park beach, which are in a dilapidated condition and are at risk of failure. The proposed replacement will occur within the footprint of the existing stairs. The project will consist of the following: 1) removal of existing stairs; 2) construction of concrete footing and bottom landing, concrete top stairway flight and two associated concrete landings, timber stairway with two timber landings, and three bench seats; 2) grading with 19.75 cubic yards of cut and 2.5 cubic yards of fill; and 3) implementation of erosion control measures.

Based on a preliminary review, the proposed project may have short-term impacts to public access and visual resources. These impacts will last for the duration of the construction and will not be significant. The project will have long-term benefits to shoreline access and visual resources by improving the safety of the access way and removing a deteriorating structure, which may degrade visual resources.

In conclusion, the Commission staff agrees that the proposed project does not significantly or adversely affect coastal uses or resources. Therefore, the Commission staff concurs with the City's determination that a consistency certification, pursuant to 15 CFR § 930.50, is **not** required for this project. Thank you for your cooperation on this matter. If you have any questions, please contact James Raives of the Commission staff at (415) 904-5292.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark DeGlenic", written over the typed name.

(for) PETER M. DOUGLAS
Executive Director

cc: South Central District Office
Jim Mace, Corps of Engineers, Ventura Field Office

CALIFORNIA COASTAL COMMISSION

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



February 1, 2002

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

Attention: Louis Rivero

Re: ND-007-02, Negative Determination to replace three existing broadcast antennas with two new antennas, Communication Area Master Station Pacific, Marin County.

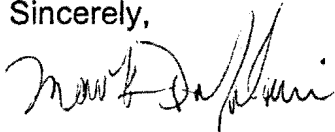
Dear Mr. Stalters:

The Commission staff has received the above-referenced negative determination. The Coast Guard proposes to remove a 71-foot, 130-foot, and 133-foot broadcast antenna and install two new 68-foot vertical omni-directional broadband antennas. The project also involves removal of fencing around the existing (to be removed) antennas and construction of fencing for the new antennas. The proposed project is located at the Coast Guard's Communication Area Master Station Pacific in Marin County approximately four miles northwest of Bolinas. This communication facility supports 13 antennas, which provide communication services to all Coast Guard operations in the Pacific area. It processes International Distress frequencies and responds to emergency signals. The Communication system supported by the site also disseminate weather and hydrographic information, storm warnings and broadcast notices to marines and other agencies.

The proposed new antennas will be visually compatible with other antennas on the site. In addition, the replacement of three of the existing antennas with two shorter ones will reduce any existing visual impacts. Therefore, the project will not adversely affect visual resources of the coastal zone. In addition, the reduction of the number and height of the antennas will reduce any affects on wildlife that the existing antennas may have on this resource. Thus, the project may have a beneficial effect on wildlife resources of the coastal zone. Finally, the project will not affect public recreational use of the coastal zone because the public is currently excluded from the area and proposed project will not change that condition. In addition, construction activities will not interfere with the public access to nearby coastal recreational areas.

In conclusion, the Commission staff agrees with the Coast Guard's determination that the proposed project will not significantly affect coastal resources. Therefore, the Commission staff **concurs** with the Coast Guard's negative determination made pursuant to 15 CFR §930.35. If you have any questions, please contact James Raives of the Commission staff at (415) 904-5292.

Sincerely,



(for)

PETER M. DOUGLAS
Executive Director

cc: North Central District Office

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
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February 4, 2002

Ruth Bajza Villalobos
Los Angeles District, Corps of Engineers
P.O. Box 532711
Los Angeles, CA 90053-2325

Attention: Larry Smith

Re: ND-008-02, Negative Determination for annual maintenance dredging in Oceanside Harbor, San Diego County.

Dear Ms. Villalobos:

The Commission staff has received the above-referenced negative determination. The proposed project involves maintenance of approximately 280,000 cubic yards of material with disposal of the dredged material on down-coast beaches. Sediment testing data indicates that the material removed from Oceanside Harbor is mostly sand and relatively free of chemical contaminants. The proposed beach disposal will maintain sand supply and replenish down coast beaches. Therefore, the proposed project will benefit local sand supply. In addition, the Commission has previously reviewed and authorized maintenance dredging at Oceanside Harbor (CD-006-81, CD-020-83, CD-003-86, CD-055-87, CD-063-89, CD-008-90, ND-095-92, CD-053-94, and ND-075-00). The proposed project is similar in size and scope to these previously reviewed projects.

In conclusion, the Commission staff agrees with the Corps' determination that the proposed project will not adversely affect coastal resources and that it is same as or similar to previously reviewed projects. Therefore, the Commission staff **concurs** with the Corps' negative determination made pursuant to 15 CFR §930.35. If you have any questions, please contact James Raives of the Commission staff at (415) 904-5292.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Douglas", written over the typed name.

(for)
PETER M. DOUGLAS
Executive Director

cc: San Diego District Office



CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
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February 11, 2002

Joseph Granata
Immigration and Naturalization Service
U.S. Border Patrol
2411 Boswell Road
Chula Vista, CA 91914-2319

RE: **ND-109-01**, Negative Determination, Immigration and Naturalization Service (INS), Repairs to existing border fence (shoreline segment), U.S./Mexican Border, San Diego

Dear Mr. Granata:

The Coastal Commission staff has received the above-referenced negative determination for the replacement in kind of the seawardmost segment of the U.S./Mexican border fence. The fence to be replaced, a bollard style fence, was installed in 1994, after the Coastal Commission concurred with a consistency determination for this segment (CD-90-92). The metal bollards have been corroded and damaged by sea water, weather conditions and vandalism; many are severely corroded and need to be replaced. Bollards are used because they allow sand transport but inhibit human passage (bollards are 6.5 inch diameter steel poles, with 5.5 inches of space between each bollard). The fence extends 465 ft. seaward from the toe of Monument Mesa, below Border Field State Park, out to approximately mean lower low water. No changes to the location, height, width, or types of material are proposed, and the INS estimates that despite the availability of somewhat more durable materials (e.g., cathodic protection), it will likely need to replace the fence every seven to ten years.

Environmentally sensitive areas north of the fence will be flagged, fenced and avoided during construction, and construction activities will be timed to avoid least tern and snowy plover nesting seasons. Equipment storage will occur at the existing International Boundary and Water Commission storage yard.

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

consistency determination with which we previously concurred (CD-90-92). We therefore concur with your negative determination made pursuant to 15 CFR Section 930.35 of the NOAA implementing regulations. Please contact Mark Delaplaine of the Commission staff at (415) 904-5289 if you have any questions.

Sincerely,



(for)

PETER M. DOUGLAS
Executive Director

cc: San Diego Coast Area Office
OCRM
Army Corps, San Diego Field Office (Terry Dean)