

CALIFORNIA COASTAL COMMISSION

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



W 3

DATE: APRIL 17, 1996.

TO: COASTAL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR
 MARK DELAPLAINE, FEDERAL CONSISTENCY SUPERVISOR

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

STATUS OF NEGATIVE DETERMINATIONS: MARCH/APRIL 1996

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- | | |
|-----------------------------|-------------------------------------------------------------------------------------------|
| 1. Number: | ND-14-96 |
| Applicant/Federal Agency: | U.S. Coast Guard |
| Project & Location: | Radio Communication Facility Expansion,
Point Reyes National Seashore, Marin
County |
| Administrative Action/Date: | <u>Concurrence</u> with Negative Determination,
March 20, 1996 |
-
- | | |
|-----------------------------|-------------------------------------------------------------------|
| 2. Number: | ND-35-96 |
| Applicant/Federal Agency: | U.S. Fish and Wildlife Service |
| Project & Location: | Least Tern Fencing, Border Field State
Park, San Diego County |
| Administrative Action/Date: | <u>Concurrence</u> with Negative Determination,
March 20, 1996 |
-
- | | |
|-----------------------------|--------------------------------------------------------------------------------------|
| 3. Number: | ND-26-96 |
| Applicant/Federal Agency: | U.S. Army Corps of Engineers |
| Project & Location: | San Francisco Main Channel Maintenance
Dredging, City and County of San Francisco |
| Administrative Action/Date: | <u>Concurrence</u> with Negative Determination,
March 20, 1996 |
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4. Number: ND-27-96
Applicant/Federal Agency: U.S. Coast Guard
Project & Location: Antenna Repair, Bolinas, Marin County
Administrative Action/Date: Concurrence with Negative Determination,
March 22, 1996
-
5. Number: ND-37-96
Applicant/Federal Agency: U.S. Navy
Project & Location: Smoking Shelter, Naval Construction
Battalion Center, Port Hueneme, Ventura
County
Administrative Action/Date: Concurrence with Negative Determination,
March 26, 1996
-
6. Number: ND-38-96
Applicant/Federal Agency: U.S. Navy
Project & Location: Boat Ramp, Naval Amphibious Base,
Coronado, San Diego County
Administrative Action/Date: Objection to Negative Determination,
April 3, 1996
-
7. Number: ND-31-96
Applicant/Federal Agency: U.S. Army Corps of Engineers
Project & Location: Removal of Oceanside Experimental Sand
Bypass System, Oceanside, San Diego County
Administrative Action/Date: Concurrence with Negative Determination,
April 10, 1996
-
8. Number: ND-25-96
Applicant/Federal Agency: U.S. Navy
Project & Location: Maintenance and Repair of 18-inch Water
Mains, Naval Air Weapons Station, Point
Mugu, Ventura County
Administrative Action/Date: Concurrence with Negative Determination,
April 11, 1996
-

PROJECTS WHERE JURISDICTION ASSERTED: MARCH/APRIL 1996

1. Date: March 5, 1996
Applicant/Federal Agency/: U.S. Navy
Project & Location: Disposal and Reuse of Former Naval Civil Engineering Laboratory, Port Hueneme, Ventura County
Action: Commented on Draft EIS and requested consistency review

2. Date: April 16, 1996
Applicant/Federal Agency/: City of Irvine/U.S. Army Corps of Engineers permit
Project & Location: Michelson Drive bridge expansion, San Diego Creek, Irvine, Orange County
Action: Commented on Army Corps of Engineers PDN (Pre-Discharge Notice) and requested possible consistency review

CALIFORNIA COASTAL COMMISSION

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March 20, 1996

David G. Sox
Acting Chief, NEPA Support Branch
U.S. Coast Guard
Coast Guard Island
Alameda, CA 94501-5100

Subject: Negative Determination ND-14-96 (Radio Communication Facility
Expansion, Point Reyes National Seashore, Marin County)

Dear Mr. Sox:

The Commission staff has reviewed your negative determination for expansion of facilities at the Coast Guard's Communications Area Master Station Pacific (CAMSPAC), a 266-acre Coast Guard property located in Point Reyes National Seashore southeast of Abbotts Lagoon in Marin County. Approximately three acres of the CAMSPAC site is developed and contains a 9,000 square-foot (sq.ft.) operations building, paved areas, storage units, and screening berms and landscaping. The balance of the site is largely undeveloped except for ten antenna towers ranging to 125 feet in height and a 20-foot tall microwave dish antenna. CAMSPAC has been in operation at Point Reyes since 1973 and provides overall operational control for the Coast Guard's Pacific Area Communication System, including stations in Hawaii, Alaska, and Guam. The purpose of the project is to modernize, streamline, and increase the reliability of the Coast Guard's global communication system. To meet this objective and in response to shrinking federal budgets, the Coast Guard proposes to relocate certain personnel-intensive communications operations from the Coast Guard Communication Station at Kodiak, Alaska to Point Reyes.

The proposed project includes: (1) construction of an 8,000 sq.ft. one-story addition to the site's existing communications and operations center, a 1,600 sq.ft. garage/storage building, a new internal driveway and 12 new parking spaces, two new mounded sewage beds to replace the existing sewage drain field, and parking lot lighting for personnel safety and security; (2) removal of the existing underground fuel tank and replacement with two above-ground tanks; (3) installation of a new 40-foot microwave tower to replace an existing 20-foot tower, and the addition of one 27-inch microwave dish to the two microwave dishes that are currently on the 20-foot tower; and (4) berming and landscaping to visually screen building additions. The project is scheduled for construction in mid-1996 and will require twelve months to complete.

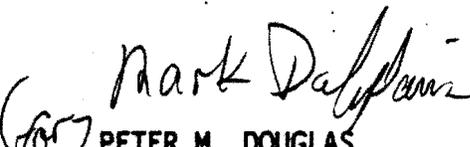
Construction activities in this highly scenic area of Point Reyes National Seashore need to be carefully scrutinized for potential visual resource impacts. The project Environmental Assessment reports that:

The existing facilities at the San Francisco Receiver Site are not visually prominent because the existing building is bermed for low visibility and several earthen landscape mounds exist along the perimeter of the parking lot to provide visual screening. Clumps of Monterey cypress trees planted on the site also screen the buildings and parking lot from off-site views. The Eucalyptus grove to the north, antennas in the surrounding fields, and the grouping of Monterey Cypress are the most prominent features of the landscape.

As a part of the Environmental Assessment, a computer-generated visual impact simulation for the project was completed for the Coast Guard. The site was photographed from four viewing points recommended by staff at Point Reyes National Seashore. The Environmental Assessment concluded that the existing facility is not highly visible from surrounding viewpoints and that the proposed project will not significantly affect the visibility or visible character of the facility. Replacement and new landscaping and earthen berms, the use of neutral colors for building additions, and the use of low bollard lighting in the parking lot to minimize off-site illumination will minimize any visual effects associated with the project.

In conclusion, the proposed construction and replacement activities adjacent to the existing CAMSPAC facilities will not adversely affect scenic views or other coastal resources at or adjacent to the site, and we therefore concur with your negative determination made pursuant to Section 15 CFR 930.35(d) of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,


PETER M. DOUGLAS
Executive Director

cc: North Coast Area Office
NOAA Assistant Administrator
Assistant Counsel for Ocean Services
OCRM
Governor's Washington, D.C., Office
California Department of Water Resources

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March 20, 1996

Rebecca Young
U.S. Fish and Wildlife Service
Tijuana River National
Estuarine Research Reserve
301 Caspian Way
Imperial Beach, CA 91932

Re: **ND-35-96** U.S. Fish and Wildlife Service, Least Tern Fencing, Border
Field State Park, San Diego County

Dear Ms. Young:

On March 19, 1996, we received the above-referenced negative determination for the construction of fencing to protect least tern nesting habitat at Border Field State Park. The fence would be constructed prior to April 1 (least tern nesting season) and has been designed to protect and enhance environmentally sensitive habitat. The fence would not block lateral shoreline public access and would not affect recreation. The project is similar to an adjacent fence to the south proposed by the State Department of Parks and Recreation, which recently received a coastal development permit waiver from our San Diego Area Office.

We agree with your conclusion that no adverse impact to coastal resources would result from the project, and we hereby concur with your negative determination for the project made pursuant to Section 15 CFR 930.35(d) of the NOAA implementing regulations. Please contact Mark Delaplaine at (415) 904-5280 if you have questions.

Sincerely,

Mark Delaplaine

(for) PETER M. DOUGLAS
Executive Director

cc: San Diego Area Office
NOAA Assistant Administrator
Assistant General Counsel for Ocean Services
OCRM
Governor's Washington D.C. Office

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CALIFORNIA COASTAL COMMISSION

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March 20, 1996

Peter E. LaCivita
Chief, Environmental Planning Section
San Francisco District
U.S. Army Corps of Engineers
ATTN: Chris Eng
211 Main Street
San Francisco, CA 94105-1905

Subject: Negative Determination ND-26-96 (San Francisco Main Channel
Maintenance Dredging)

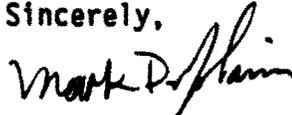
Dear Mr. LaCivita:

The Commission has reviewed the above-referenced negative determination for maintenance dredging of the San Francisco Main Ship Channel. The project involves dredging approximately 600,000 cubic yards of sediment to maintain the navigability of the federally authorized channel. The material to be dredged is predominately sand and will be disposed at the western quadrant of disposal site SF-8, approximately 2500 yards south of the channel. Operations are scheduled to begin in early April and last approximately 25 days.

The Corps has submitted this project as a negative determination based on the fact that the Commission has previously reviewed and authorized similar maintenance dredging projects for the San Francisco Main Ship Channel (Consistency Determination CD-2-87-A, and Negative Determinations ND-4-93 and ND-4-95). Sediment tests performed in previous years, and most recently in 1991, indicate that dredged material from the Main Ship Channel is over 90 percent sand. Since the material for this project is also predominately sand, the impacts from this project are expected to be the same as, or similar to, impacts identified in previously-approved determinations.

In conclusion, the proposed project will generate only minimal impacts on the coastal zone. We therefore concur with your negative determination made pursuant to Section 15 CFR 930.35(d) of the NOAA implementing regulations. Please contact Larry Simon of the Commission staff at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,


(for) PETER M. DOUGLAS
Executive Director

cc: North Coast Area Office
NOAA Assistant Administrator
Assistant General Counsel for Ocean Services
OCRM
Governor's Washington, D.C., Office
California Department of Water Resources

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March 22, 1996

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

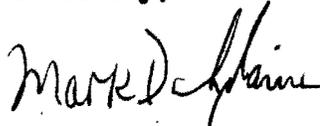
Subject: Negative Determination ND-27-96 (Antenna Repair, Bolinas, Marin County)

Dear Mr. Stalters:

The Commission staff has reviewed the above-referenced negative determination for replacement of an antenna at the Coast Guard's Communications Area Master Station Pacific (CAMSPAC) transmitter site, located approximately four miles northwest of Bolinas in Marin County. The Coast Guard proposes to replace, in the same location, an existing 118-foot guyed rotatable antenna with a new 100-foot guyed rotatable antenna. The existing antenna is 26 years old, its foundation has structurally deteriorated, and it is in danger of collapsing. The replacement antenna is needed to maintain communication in support of the Coast Guard's mission in the Pacific area. The replacement antenna will be installed within the existing antenna field at the CAMSPAC site, will be visually compatible with other antennas at the site, and will not create any new impacts on public views in this area.

We agree with your conclusion that the proposed replacement antenna will not generate adverse impacts to the coastal zone, and we therefore concur with your negative determination for the project made pursuant to Section 15 CFR 930.35(d) of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,


(for) PETER M. DOUGLAS
Executive Director

cc: North Coast Area Office
NOAA Assistant Administrator
Assistant General Counsel for Ocean Services
OCRM
Governor's Washington, D.C., Office
California Department of Water Resources

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CALIFORNIA COASTAL COMMISSION

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March 26, 1996

LCDR R.P. Sauerwein
Environmental Officer
Department of the Navy
Naval Construction Battalion Center
1000 23rd Ave.
Port Hueneme, CA 93043-4301

RE: **ND-37-96** Negative Determination, Smoking Shelter, Naval
Construction Battalion Center, Port Hueneme, Ventura County

Dear LCDR Sauerwein:

The Coastal Commission staff has received the above-referenced negative determination for the Navy's proposal to construct an employee smoking shelter at the Naval Construction Battalion Center in Port Hueneme. The project would be located within an existing developed portion of the federal Navy base. The project would not be visible from the coastal zone and would have no other effects on coastal resources. We therefore agree with the Navy that the project will not affect coastal resources, and we 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,

(P&S)

Mark Delaplaine
PETER M. DOUGLAS
Executive Director

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

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April 3, 1996

Dan Muslin, Head, Environmental Planning Branch
Department of the Navy, Southwest Division
Naval Facilities Engineering Command
Facilities Planning and Real Estate Department
Attn: Patrick McKay
1220 Pacific Highway, Room 216
San Diego, CA 92132-5180

RE: ND-38-96 (Negative Determination, Boat Ramp, Naval Amphibious Base,
Coronado)

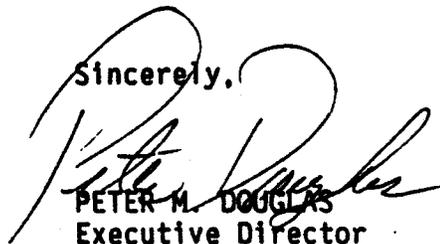
Dear Mr. Muslin:

The Coastal Commission staff has received the above-referenced negative determination for the construction of a concrete boat ramp to be used for the launching and repair of recreational boats, on the west side of San Diego Bay in Fiddler's Cove, which is part of the Naval Amphibious Base in Coronado. The ramp would replace an existing marine railway at the site, which would be removed. The ramp would be 25 ft. wide, extending approximately 1500 ft. from an existing sidewalk down into Fiddler's Cove, to a depth of approximately -5 ft. MLLW. The ramp would cover 3,750 sq. ft. (0.09 acres) and would be slightly larger than the existing railway proposed for removal. The project is currently scheduled for April 1996. Construction would take less than 30 days. Approximately 14 truck trips would be needed for concrete delivery.

While we agree with the Navy that eelgrass beds in the area would not be affected, and that construction and truck noise would not affect least tern nesting at nearby Delta Beach, we are concerned over effects on benthic marine resources. The Navy asserts that due to the existing marine railway, benthic habitat is "heavily disturbed" in the area, due to the existing marine railway. However the U.S. Fish and Wildlife Service visited the site and believes the marine habitat in the area is healthy, in part due to the fact that the existing railway to be removed is not heavily used and has been recolonized by benthic habitat. Regardless of this difference of opinion regarding the quality of the existing habitat, the project consists of expansion of fill within the marine environment, because the boat ramp would have a larger "footprint" than the existing marine railway. For this reason alone, we believe the project would affect marine resources of the coastal zone and that the Navy needs to submit a consistency determination for this project. This determination should analyze the project's consistency to the maximum extent practicable with the policies of Section 30233 of the Coastal Act, including a discussion of whether the project is the least environmentally damaging feasible alternative, and whether mitigation is needed for the increased fill of estuarine habitat. The Navy should also assess whether the ramp will affect sand transport, as the Navy has previously proposed shoreline structures to protect against erosion along the shoreline immediately east of the proposed ramp.

If the Navy were to provide mitigation for the fill impacts, we would consider such a revised project reviewable as a negative determination. However in the absence of such mitigation, we disagree with your assessment that the resources of the coastal zone would not be affected by the project. We therefore object to 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,



PETER M. DOUGLAS
Executive Director

cc: San Diego Area Office
NOAA
Assistant Counsel for Ocean Services
OCRM
California Department of Water Resources
Governors Washington D.C. Office
U.S. Army Corps of Engineers, San Diego Field Office (Marsden)
U.S. Fish and Wildlife Service (Statlander)
National Marine Fisheries Service (Hoffman)
City of Coronado (McCaul)

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April
~~March~~ 10, 1996



Mr. Robert Joe
Chief, Planning Division
U.S. Army Corps of Engineers
ATTN: Stephanie Hall
P.O. Box 2711
Los Angeles, CA 90053-2325

RE: ND-31-96, Negative Determination, Sand Bypass System Removal, Oceanside Harbor, San Diego County

Dear Mr. Joe:

The Commission has received the above referenced negative determination for dismantling and removal of the experimental sand bypass system located at Oceanside Harbor. The project extends from the North Fillet at Camp Pendleton Beach to Oceanside Public Beach. Originally approved as an experimental project to reduce maintenance dredging, the project has been inoperable for several years due to a lack of funds to modify the design of the project and to maintain the project. The City of Oceanside does not have the funds to assume maintenance of the bypass system. During the period the project was operable (1990-1993), it did not significantly reduce the need for maintenance dredging of Oceanside Harbor.

The removal project is necessary to remove the equipment along the beach and in the harbor. The project will begin in late April, and will continue through September 1996. The Commission has already concurred with a consistency determination for a six year maintenance dredging program for the harbor (CD-53-94).

The project encompasses several phases:

- At the North Fillet, the following structures will be removed: 70 feet of steel catwalk, an 18 by 16 foot concrete platform, four concrete piles, 12 steel dolphin piles, jet pump and jet pump anchor, fuel line, and 1,100 feet of piping.
- At the South Jetty area, 500 feet of subsurface piping and 650 feet of subsea pipeline will be removed. A concrete landing platform, walkway gate, and utility lines will also be removed.
- At the South Groin area, a 200 foot long pipe will be capped and will remain in place.
- At the Oceanside Beach area south of the San Luis Rey River, 3,500 feet of underground pipe will be removed. Thirty five feet of pipeline under the Oceanside Pier will also be removed.

For excavation of structures, sand will be sidecast and used to restore the site after removal of the structure. At the South Jetty area, the subsea pipe is too deep to sidecast without interfering with navigation; this sand (approximately 50,000 cubic yards) will be placed at the nearshore disposal site. The sand is expected to return to the littoral system. At the North Fillet, disturbed areas of land will be graded.

Funds may allow only for a partial removal of the bypass system. If full removal is not feasible, the subsea pipeline adjacent to the South Jetty and/or a segment of buried pipeline between the South Jetty and South Groin of the San Luis Rey River may remain in place.

Oceanside beach and harbor are well used recreational areas during summer months. No work will be undertaken on beach areas until after September 15. Work on the beach area will be completed within two weeks and the site will be restored. While areas of the beach may be restricted during removal activities, the beach will not be closed to public use. During removal of pipeline that crosses the navigation channel, a portion of the channel will be cordoned off for a maximum of two days. Most of the pipeline parallels the navigation channel and south jetty, and therefore will not impede public access of the harbor during its removal. Therefore, impacts on recreation and access from this project will be minimal.

Several listed species are found in the project site. Although the project site is not preferred nesting habitat for the Western snowy plover, the plover may be found on the beach area. Any work on the beach area will occur after the plover nesting period, and will therefore not negatively impact the species. The California Brown Pelican and the California Least Tern are also found at the project site. Noise from the project and turbidity may temporarily displace these species from locations of work. However, the birds would continue to roost and feed in unaffected areas of the site. Least Tern nesting areas will not be disturbed. The Army Corps of Engineers has coordinated removal of the bypass system with the U.S. Fish and Wildlife Service to ensure that impacts to listed species will not occur.

Excavation and restoration activities would temporarily impact benthic organisms and fish. However, the impacts would be localized and temporary as recolonization will occur. Turbidity will be minimal, due to the low percentage of fine material in the sediment. Based on a chemical analysis of harbor sediment in November 1991, sediment showed acceptable levels of all contaminants of concern. A 1989 water quality study found impaired water quality in the vicinity of Oceanside Harbor. However, the project will not further degrade water quality.

No impacts will occur to the San Luis Rey River as no work will occur in the river. The pipeline adjacent to the river will not be removed, but will be capped and remain in place. Therefore, no impacts to riparian areas will occur.

We agree that this project will have not significantly affect any 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,


Peter M. Douglas
Executive Director

cc: San Diego 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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April 11, 1996

Vivian Goo
Deputy Public Works Officer
ATTN: Jim Danza
Department of the Navy
Naval Air Weapons Station
521 9th St.
Point Mugu, CA 93042-5001

RE: **ND-25-96** Negative Determination, Maintenance and Repair of 18-inch Water Mains, Naval Air Weapons Station, Point Mugu, Ventura County

Dear Ms. Goo:

The Coastal Commission staff has received the above-referenced negative determination for the Navy's repair of two above-ground water pipe structures, including the replacement of supporting piers and of deteriorated pipe sections, at the Naval Air Weapons Station in Point Mugu. The project involves in kind replacement of between 170 and 250 existing piers on upland terrain and within non-tidal wetlands. Old and deteriorated support pilings for pipeline piers would be removed, and up to 250 cubic yards of material would be excavated, temporarily sidecast, and used for backfill after installation of the new pilings. No additional fill within wetlands beyond that amount currently represented by the existing pilings would occur. Wetlands affected would be limited to non-tidal wetlands and impacts would be temporary. Pre-construction contours would not be modified and the activity would not adversely affect existing sensitive upland or wetland habitat.

In conclusion the project would not result in any adverse impact to wetland, marine or habitat resources, public access, or any other coastal resources. We therefore concur with your negative determination made pursuant to Section 15 CFR 930.35(d) of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 if you have questions.

Sincerely,

Mark DeLapina
(for) PETER M. DOUGLAS
Executive Director

cc: Ventura Area Office
NOAA
Assistant Counsel for Ocean Services
OCRM
California Department of Water Resources
Governors Washington D.C. Office
Army Corps (Ventura Field Office)
RWQCB (L.A. Region)

PMD/MPD/mra/1966p

