

CALIFORNIA COASTAL COMMISSION

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

**F 9**

DATE: September 22, 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-099-97
APPLICANT:	Coast Guard
LOCATION:	Point Cabrillo Light Station, Mendocino Co.
PROJECT:	Relocation of antenna from light house to a new location
ACTION:	Concur
ACTION DATE:	9/4/97

PROJECT #:	ND-103-97
APPLICANT:	Corps of Engineers
LOCATION:	Los Angeles and Long Beach Harbors, San Pedro Bay, Los Angeles County
PROJECT:	Modifications to harbor deepening project
ACTION:	Concur
ACTION DATE:	8/25/97

PROJECT #:	ND-104-97
APPLICANT:	Navy
LOCATION:	Fleet Industrial Supply Center, San Diego
PROJECT:	Demolition of existing building
ACTION:	Concur
ACTION DATE:	9/2/97

PROJECT #:	ND-105-97
APPLICANT:	Navy
LOCATION:	Naval Construction Battalion Center, Port Hueneme, Ventura Co.
PROJECT:	Addition to existing administration building
ACTION:	Concur
ACTION DATE:	8/21/97

PROJECT #:	ND-106-97
APPLICANT:	Navy
LOCATION:	Naval Construction Battalion Center, Port Hueneme, Ventura Co.
PROJECT:	Amendment to previously approved negative determination for desalination facility
ACTION:	Concur
ACTION DATE:	8/21/97

PROJECT #:	ND-107-97
APPLICANT:	Navy
LOCATION:	Naval Submarine Base, Point Loma, San Diego
PROJECT:	Construction of pre-engineered building on existing pier
ACTION:	Concur
ACTION DATE:	9/2/97

PROJECT #:	ND-112-97
APPLICANT:	NASA
LOCATION:	Launch sites SLC-2, SLC-3, SLC-6, CCSP, Vandenberg Air Force Base, Santa Barbara Co.
PROJECT:	Earth Observing System launches
ACTION:	Concur
ACTION DATE:	8/20/97

PROJECT #:	ND-114-97
APPLICANT:	Navy
LOCATION:	Naval Air Weapons Station, Point Mugu, Ventura Co.
PROJECT:	Pile replacement
ACTION:	Concur
ACTION DATE:	9/15/97

PROJECT #:	ND-115-97
APPLICANT:	Navy
LOCATION:	Naval Air Weapons Station, Point Mugu, Ventura Co.
PROJECT:	Strobe Light Pier Repair
ACTION:	Concur
ACTION DATE:	9/5/97

PROJECT #:	ND-116-97
APPLICANT:	Navy
LOCATION:	Naval Submarine Base, Point Loma, San Diego
PROJECT:	Replace fender system, Pier 5000
ACTION:	Concur
ACTION DATE:	9/5/97

PROJECT #:	ND-117-97
APPLICANT:	Navy
LOCATION:	Near Venice Rd., Naval Construction Battalion Center, Ventura Co.
PROJECT:	Boat shelter
ACTION:	Concur
ACTION DATE:	8/27/97

PROJECT #:	NE-123-97
APPLICANT:	Caltrans
LOCATION:	Highway 1 at Old Creek, near Cayucos
PROJECT:	Repair storm damaged bridge
ACTION:	No Effect
ACTION DATE:	9/2/97

PROJECT #:	ND-125-97
APPLICANT:	Navy
LOCATION:	Oceanside, San Diego Co.
PROJECT:	Sinker Pipeline Placement for Sand Replenishment
ACTION:	Concur
ACTION DATE:	8/29/97

PROJECT #:	ND-128-97
APPLICANT:	Corps of Engineers
LOCATION:	Humboldt Harbor, Humboldt Bay
PROJECT:	Fall 1997 Maintenance Dredging
ACTION:	Concur
ACTION DATE:	9/15/97

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September 4, 1997

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

Attn: Louis Rivero

RE: ND-099-97, Negative Determination for the relocation of an antenna from the lighthouse to a new location, Point Cabrillo Light Station, Mendocino County

Dear Mr. Stalters:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The proposed project includes relocation of an antenna from the lighthouse to a new location adjacent to an existing oil house, Point Cabrillo Light Station, Mendocino County. Specifically, the Coast Guard proposes to remove the existing antenna from the light house, construct a 10-foot by 5-foot by 2-foot foundation adjacent to the existing oil house, install the 20-foot tall antenna on that foundation, and trench 325 feet for system wiring. The purpose of the project is to improve the visual and historic character of the lighthouse. The new antenna is in a disturbed area and will not affect existing habitat, visual, or recreation resources. Therefore, the Coastal Commission staff agrees that the proposed project will not adversely affect coastal zone resources.

In conclusion, we 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,

A handwritten signature in cursive script, appearing to read "Mark D. Douglas".

(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

CALIFORNIA COASTAL COMMISSION

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August 25, 1997

Robert S. Joe
Chief, Planning Division
U.S. Army Corps of Engineers
Attn: Russell Kaiser
P.O. Box 532711
Los Angeles, CA 90053-2325

Subject: Negative Determination ND-103-97 (Pier 400 Project, Stage 2 Modifications, Port of Los Angeles).

Dear Mr. Joe:

The Commission staff has reviewed your negative determination for modifications to the previously-concurred with Stage 2 dredging and landfill construction associated with the Pier 400 Project in the Port of Los Angeles (CD-2-97). The Corps proposes to implement the following modifications to the Stage 2 dredging and disposal plan: (1) dispose in the Stage 1 borrow pit (located in the Main Channel just inside the Angels Gate entrance to the Port) up to 0.7 million cubic yards (mcy) of clean, fine-grained dredged material (obtained from the deepening of harbor channels adjacent to Pier 400) which is unsuitable as structural fill at Pier 400; (2) borrow up to 2.0 mcy of clean, fine- to medium-grained sands from the proposed Stage 2 borrow pit (located inside the Middle Breakwater southeast of Pier 400) for use as landfill material at Pier 400; and (3) dispose in the Stage 2 borrow pit up to 2.0 mcy of clean, fine-grained dredged material (obtained from the deepening of harbor channels adjacent to Pier 400) which is unsuitable as structural fill.

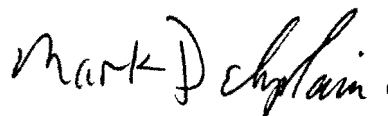
These proposed modifications are necessary because there is an anticipated shortfall of up to 2.0 mcy of structurally suitable fill material necessary to complete the Pier 400 Stage 2 landfill. The Corps and the Port propose to alleviate this shortfall by dredging sands from the Stage 2 borrow pit southeast of Pier 400. The Corps states that based on its latest outer harbor geotechnical surveys, approximately 2 mcy of structurally suitable materials can be obtained by temporarily deepening this site from -75 feet mean lower low water (MLLW) to -92 feet MLLW. Construction activities associated with the proposed dredge and fill modifications are similar to

the Stage 2 dredging activities previously approved by the Commission in CD-2-97, and will occur as previously scheduled between July 1997 and December 1999.

The Supplemental Environmental Assessment (SEA, July 1997) prepared by the Corps for the proposed modifications included an examination of alternatives to the proposed sand mining to complete the Pier 400 landfill. The SEA concluded that only the Port of Long Beach Main Channel Deepening Project (approved by the Commission in CD-54-95) could provide 2.0 mcy of dredged material suitable for use in the Pier 400 landfill, but that this material is less structurally compatible than the preferred material in the Port of Los Angeles Stage 2 borrow pit and may not be available for timely use in Pier 400 due to differences in project construction schedules. In addition, the SEA examined alternatives to disposing 2.7 mcy of structurally unsuitable Stage 2 dredge materials in the Stage 1 and 2 borrow pits, and concluded that: (1) the dredge materials were unsuitable for beach disposal (due to the high percentage of fine-grained sediments); (2) the Cabrillo shallow water habitat area did not have space available for additional materials beyond the 3.58 mcy of Stage 2 dredge materials previously approved for disposal at this site; and (3) the LA-2 ocean disposal site was previously approved as a disposal site for 1.5 mcy of Stage 2 dredged material during the 1997-99 time period, and that additional material could not be placed at LA-2 during this period without supplemental supporting NEPA documentation. The SEA concluded that the proposed Stage 2 dredging and disposal modifications at the Stage 1 and Stage 2 borrow pits in the Port of Los Angeles will not generate any significant adverse impacts on marine resources, and that all previously-approved mitigation measures and commitments incorporated into the Pier 400 Stage 2 project (CD-2-97) will remain unchanged by the proposed Stage 2 modifications.

In conclusion, the proposed Pier 400 Stage 2 dredging and disposal modifications in the Port of Los Angeles will not significantly affect the coastal zone. The Commission has previously reviewed the need for and design of the Pier 400 project and found it consistent with the California Coastal Management Program. Potential impacts to marine resources from the proposed modifications to the previously-concurred with project will not be significant and appropriate mitigation measures are incorporated into the project. 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

Robert S. Joe
August 25, 1997
Page 3

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

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TELEPHONE (415) 904-5200 AND TDD (415) 904-5200



September 2, 1997

Patrick McCay
Long Range Planning
Department of the Navy, Southwest Division
Naval Facilities Engineering Command
1220 Pacific Highway
San Diego, CA 92132-5190

RE: ND-104-97 (Building Demolition, Fleet Industrial Supply Center, Pier 11A, San Diego)

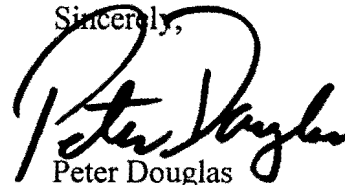
Dear Mr. McCay:

We have received your negative determination for the demolition of Building 11 on Pier 11A at the Fleet Industrial Supply Center (FISC). Approximately 610 feet of the 855 foot-long warehouse will be demolished. This warehouse space is no longer needed by FISC.

Removal of the building has been approved by the State Historic Preservation Officer and the National Park Service. Materials containing asbestos will be disposed of per state and federal regulations. The proposed demolition will not negatively affect water quality.

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,


Peter Douglas
Executive Director

cc: San Diego Coast 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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August 21, 1997

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

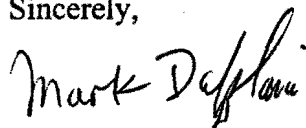
RE: **ND-105-97** Negative Determination, Navy Building Addition, Naval Construction Battalion Center, Port Hueneme, Ventura County

Dear LCDR Bouika:

The Coastal Commission staff has received the above-referenced negative determination for the construction of a one-story addition to "Building 444," an existing one-story administration building at the Naval Construction Battalion Center (NCBC) in Port Hueneme. The building addition would be located within an existing developed area of the NCBC. The project would not involve any discharges into marine waters. No scenic public views would be affected. The project site contains no environmentally sensitive habitat. Public access and recreation would not be affected by the project.

We **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,


(for) 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

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August 21, 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-106-97** Negative Determination, Modification to Previous Test Facility Negative Determination, Naval Construction Battalion Center, Port Hueneme, Ventura County

Dear LCDR Bouika:

The Coastal Commission staff has received the above-referenced negative determination for the modification to a project for which we previously concurred with a negative determination. On June 23, 1997, we concurred with ND-78-97 for the construction of a Seawater Desalination Test Facility at the NCBC in Port Hueneme, located on the west side of the Port Hueneme Harbor entrance channel. The proposed modification would consist of adding a one-story, 48 ft. by 24 ft. mobile office building to the site plan for the facility, to provide office space for four engineers. The mobile home type structure will have a wood frame and will be covered by wood paneling. The modified project will not cause visual effects, or any other coastal zone effects, different than those from the project as previously authorized. 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,

A handwritten signature in dark ink that reads "Mark Delaplaine".

(for) 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

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September 2, 1997

P. Cambell
Department of the Navy
Naval Submarine Base, San Diego
140 Sylvester Road
San Diego, CA 92106-3521

RE: ND-107-97 (Building Construction, Pier 5002, Naval Submarine Base, San Diego)

Dear P. Campbell:

We have received the above-referenced negative determination for construction of a 30 by 40 ft. pre-engineered building on pier 5002 at the Naval Submarine Base. The building is necessary for support of the USNS Mercy. The pier is within a least tern nesting area. However, the Navy has committed to undertake construction during the non-nesting season for least terns. Therefore, the project will not affect the least tern. No significant water quality impacts are expected from this project. The project will not impact visual resources of the coastal zone.

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,

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

Peter 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

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August 28, 1997

Dawn J. Skinner
National Aeronautics and Space Administration
Jet Propulsion Laboratory
4800 Oak Drive
Pasadena, CA 91109-8099

RE: ND-112-97, Negative Determination for processing and launching the Earth Observing System, Vandenberg Air Force Base, Santa Barbara County.

Dear Ms. Skinner:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. NASA proposes to develop and launch the Earth Observing System using existing and proposed processing and launching facilities on Vandenberg Air Force Base. The Earth Observing System is a series of satellites launched to investigate atmosphere, oceans, biosphere, land surface, and solid Earth systems. The program will require the launching of over 15 spacecraft over a period of 1998 through 2014. NASA is not proposing new construction as part of this project. Additionally, NASA will launch the satellites using existing launch vehicles that the Commission has previously authorized. The project does not include an increase in the previously approved launch rate of these existing vehicles. If the project should, for unexpected reasons, require an increase in the launch rate, such an increase would require additional consistency review and would likely be the responsibility of Vandenberg Air Force Base or the party responsible for developing and launching the launch vehicle.

Since the project does not include authorization of new launches, it will not increase existing (and previously reviewed) effects on public access and recreational use of the shoreline, marine mammals, and endangered species. Additionally, since the project does not include new construction, it will not affect visual resources of 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

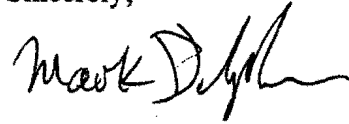
August 28, 1997

ND-112-97

Page 2

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,

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

PETER M. DOUGLAS
Executive Director

cc: South 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/JRR
ND11297.DOC

CALIFORNIA COASTAL COMMISSION

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September 15, 1997

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

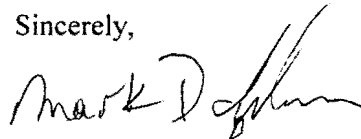
RE: **ND-114-97** Negative Determination, Navy Pile Replacement, Naval Construction Battalion Center, Port Hueneme, Ventura County

Dear LCDR Bouika:

The Coastal Commission staff has received the above-referenced negative determination for the replacement of 23 deteriorated timber piles at Wharf 3, and 18 timber piles at Wharf 6, located at the Naval Construction Battalion Center (NCBC) in Port Hueneme. The project also includes associated miscellaneous repairs at the wharves. No scenic public views would be affected. The project site contains no environmentally sensitive habitat, and, due to project scheduling (late fall/early winter 1997), the noise from pile driving does not have the potential to adversely affect any sensitive bird species in the area, such as least terns or snowy plovers. The Navy has agreed to use only those types of piles approved by the California Department of Fish and Game, which will minimize biological effects on marine resources. Public access and recreation would not be affected by the project.

We **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,


(for) 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
California Dept. of Fish and Game

CALIFORNIA COASTAL COMMISSION

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August 21, 1997

Vivian Goo
Deputy Public Works Officer
Attn: Jim Danza
Naval Air Weapons Station, Point Mugu
521 19th Street
Point Mugu, CA 93042-5001

Dear Ms. Goo:

RE: **ND-115-97** Negative Determination, Strobe Light Pier Repair, Naval Air Weapons Station, Point Mugu, Ventura County

The Coastal Commission staff has received the above-referenced negative determination for the Navy's repair of the existing strobe light pier at the southern end of the Naval Air Weapons Station Runway at Point Mugu. The pier collapsed in May and is considered an urgent project by the Navy. The proposed repairs would constitute a replacement-in-kind activity, and the pier would not be expanded. To repair the pier, the Navy proposes to temporarily remove sections of an existing seawall protecting the pier, remove fallen structures, place matting on the sand to allow pile drivers and other necessary vehicles access to the site, and install eight, 40 ft. long wood piles (with fiberglass supports between the piles for added strengthening). Strobe lights and other lights will be reinstalled. The seawall will be restored to existing conditions. The pier repair is needed to assure air safety operations.

The construction period will be three weeks and is scheduled to occur between October and February. Thus, the construction will be timed to avoid any noise effects from pile driving on any sensitive bird species in the area, such as least terns or snowy plovers. Any turbidity impacts from work within the surf zone will be limited to a small area and will not occur during a sensitive time period for marine resources. The piles will not contain creosote. Public access and recreation will not be affected by the project.

We **agree** that the project would not result in adverse impacts to any 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 questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark Delaplaine".

(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
Corps of Engineers, Ventura Field Office

CALIFORNIA COASTAL COMMISSION

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September 5, 1997

P. Campbell, Staff Civil Engineer
Attn: Jon de Kerguelen
Department of the Navy
Commanding Officer
Naval Submarine Base, San Diego
140 Sylvester Rd.
San Diego, CA 92106-3521

RE: **ND-116-97** Negative Determination, Replacement fender system, Pier 5000, Naval Submarine Base, Point Loma, San Diego

Dear Mr. de Kerguelen:

The Coastal Commission staff has received the above-referenced negative determination for the replacement of a deteriorated fender system at Pier 5000 on the east side of the Point Loma Peninsula in San Diego. The project consists of replacing fenders and wood piles; the new system will consist of new fenders supported by prestressed concrete fender piles, fiberglass fender piles, plastic camels, and a fender corner protection system. The project constitutes replacement in kind of existing facilities. The Navy has scheduled the project so that pile driving will not occur during the least tern nesting season, and other noise impacts from construction will be minor. The removal of existing wood piles, some of which contain creosote, will benefit the marine environment. The project will not adversely affect water quality, environmentally sensitive habitat, or any other coastal zone resources.

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,

A handwritten signature in black ink that reads "Peter Douglas".

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
Army Corps, San Diego Field Office

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August 27, 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-117-97 Negative Determination, Boat Shelter, Building 465, Naval Construction Battalion Center, Port Hueneme, Ventura County

Dear LCDR Bouika:

The Coastal Commission staff has received the above-referenced negative determination for the construction of a boat shelter structure adjacent to Building 465 at the Naval Construction Battalion Center (NCBC) in Port Hueneme. The boat shelter would be 75 ft. long, 75 ft. wide, and 25 ft. high, and would be used to accommodate three 60-ft. Septar Boats. The project would be located within an existing industrially developed area of the NCBC. The project would not involve any discharges into marine waters. No scenic public views would be affected. The project site contains no environmentally sensitive habitat. Public access and recreation would not be affected by the project.

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,

(for) 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

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000

SAN FRANCISCO, CA 94105-2219

TELEPHONE AND TDD (415) 904-5200



September 2, 1997

Paula Huddleston
Environmental Planning
Caltrans, District 5
50 Higuera St.
San Luis Obispo, CA 93401-5415

Re: **NE-123-97** "No Effects" Determination, Caltrans Road Protection,
Highway 1 and Old Creek, Cayucos, San Luis Obispo County
Caltrans File No. 05-SLO-1-34.4 (05-464501)

Dear Ms. Huddleston:

The Coastal Commission staff has received Caltrans' request for authorization of a repair project related to emergency storm damage in San Luis Obispo County. The project would ordinarily be within the coastal development permitting jurisdiction of San Luis Obispo County; however Caltrans has asserted that it is exempt from having to receive a County-issued coastal development permit based on the provisions of AB 2963 ("Firestone" legislation). The Coastal Commission nevertheless retains federal consistency authority because the project requires a federal (Army Corps) permit.

For the subject project, we believe the federal consistency requirements can be waived for two reasons. Because Caltrans has agreed to incorporate the Environmental Recommendations contained in the August 21, 1997, memo from Gary Ruggerone to Mike Giuliano, the project's impacts will be minimized and the project will not cause adverse coastal zone effects. In addition, the project's effects will be no greater than those we previously authorized/waived at the same site in NE-42-97 (Three Caltrans Emergency Repair Projects, Highway 1/Old Creek). The proposed repairs do not entail any additional adverse effects at this site.

Therefore, we believe it is appropriate to waive federal consistency jurisdiction for this repair project. Based on this waiver we agree with Caltrans' "No Effects" determination for this project. Please call Mark Delaplaine of my staff at (415) 904-5289 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Mark Delaplaine".

(for)

PETER DOUGLAS
Executive Director

cc: Santa Cruz Area Office

NOAA

OCRM

California Dept. of Water Resources

Governors Washington, D.C. Office

San Luis Obispo County

RWQCB, Central Coast Region

U.S. Army Corps of Engineers, Ventura Field Office

CCC: Dickey, Bowers, Scholl, Fuchs, Grove, Raives

PMD/MD/mra/1966p

CALIFORNIA COASTAL COMMISSION

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August 29, 1997

Patrick McCay
Long Range Planning and
Real Estate Team Leader
Department of the Navy, Southwest Division
Naval Facilities Engineering Command
1220 Pacific Highway
San Diego, CA 92132-5190

RE: ND-125-97 Negative Determination, U.S. Navy, Oceanside Sinker Pipeline
Placement, Navy "Homeporting" Project, San Diego

Dear Mr. McCay:

The Coastal Commission staff has received the above-referenced negative determination for modification/clarification to the previously-concurred-with consistency and negative determinations for beach sand disposal associated with dredging for the Homeporting of the NIMITZ-Class Nuclear Aircraft Carrier, at the Naval Air Station North Island (NASNI) in Coronado¹. The proposed modification/clarification consists of construction of a 1300 meter (4,265 ft.) long sinker pipeline to be used to transport sand from the hopper dredge to the receiver beach sites. The pipeline sections would be barged to Oceanside Harbor, temporarily placed along the beach, and the beach sections welded together. Once welding is complete (an aprox. two-week operation), the pipeline would be pushed into the ocean at low tide and set up perpendicular to the beach to accommodate the already authorized beach replenishment.

The temporary pipeline placement and welding operations on the beach will affect public access. To allow the public access over the pipeline, sand ramps will be constructed every 150 meters (490 ft.) along the pipeline. Areas immediately surrounding each welding operation will be closed off; however with the ramps the public will be able to gain access to the beach at all times. Access impacts have been minimized in that the

¹ As originally concurred with by the Commission in CD-95-95, the project included the disposal of 7,900,000 cu. yds. of sand at various San Diego County beaches. The original project consisted of nearshore disposal at Imperial Beach, Del Mar, Oceanside, and Mission Beach. This was subsequently modified and submitted as a two-phase beach disposal project, as follows: Phase I (CD-29-97) - South Oceanside (530,000 cu. yds.), Solana Beach (570,000 cu. yds.); and Phase II (ND-62-97) - South Oceanside (Buccaneer Beach) (748,000 cu. yds.), North Carlsbad (542,000 cu. yds.), South Carlsbad (918,000 cu. yds.), Torrey Pines North, (361,000 cu. yds.), and Torrey Pines South (280,000 cu. yds.).

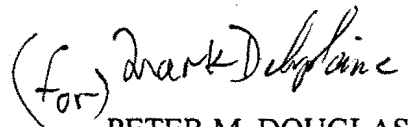
project will not occur during the peak summer recreation season, and because the project will be temporary (only two weeks duration). The Navy has coordinated its activities with the City of Oceanside and area residents (including a public hearing).

The Navy has addressed other coastal zone issues as well. No archaeological resources would be affected. The Navy will retain a qualified snowy plover expert on site to assure that no plover nests are present.

Under the federal consistency regulations 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." In concurring with the previous consistency and negative determinations for beach disposal from the Homeporting project (CD-29-97 and ND-62-97), the Commission understood and accepted that beach disposal would entail temporary access impacts, but that overall the project would significantly benefit public access because of the substantial beach replenishment efforts.

We agree with the Navy that the proposal does not raise any new issues with respect to coastal zone effects that were not previously considered, and that the project is therefore similar to activities for which consistency determinations have been prepared in the past. We therefore concur with your negative determination for these modifications 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,

(for) 
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
SANDAG (Steve Sachs)
U.S. Army Corps, San Diego Field Office (David Zoutendyk)

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
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September 15, 1997

Joseph Raoul, Jr.
Chief, Planning and Engineering Division
Attn: Tamara Terry
U.S. Army Corps of Engineers
San Francisco District
333 Market Street
San Francisco, CA 94105-2197

RE: **ND-128-97** Negative Determination, Army Corps, Fall 1997 Maintenance Dredging,
Humboldt Bay

Dear Mr. Raoul:

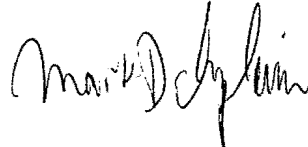
The Coastal Commission staff has received the above negative determination for the maintenance dredging of up to 500,000 cu. yds. of material from Humboldt Bay, as follows: Humboldt Harbor Bar and Entrance Channels (250,000 cu. yds.), North Bay Channel (73,000 cu. yds.), and Samoa Channel and Turning Basin (173,000 cu. yds.). Disposal would be at the site used for the previous 13 maintenance dredging sessions, the HOODS site, approximately 3 miles offshore of the harbor entrance. As the Corps points out in its negative determination, this project is similar to projects previously concurred with by the Commission (ND-91-96, ND-61-95, ND-10-95, CD-111-94, CD-64-94, CD-48-93, ND-33-93).

Fall dredging raises some different issues than spring dredging in Humboldt Bay, since fall dredging is predominantly sandy material, whereas spring dredging is predominantly fine material. The main outstanding concern raised during previous Commission and Executive Director reviews of fall dredging has been the need for monitoring to assure that shoreline erosion is not occurring along the Humboldt Bay south spit. Ongoing monitoring of shoreline erosion continues and indicates no evidence to date of shoreline erosion.

Under the federal consistency regulations (Section 930.35(d)), 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 and negative determinations with which we previously concurred. 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,



(for)

PETER M. DOUGLAS
Executive Director

cc: North Coast Area Office
NOAA
OCRM
California Dept. of Water Resources
Governors Washington, D.C. Office
EPA, Erica Hoffman
RWQCB, North Coast Region