

CALIFORNIA COASTAL COMMISSION

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



F 4

DATE: April 23, 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]

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|--------------|--|
| PROJECT #: | NE-012-97 |
| APPLICANT: | City of Santa Cruz |
| LOCATION: | Soquel Avenue Bridge, San Lorenzo Bridge, Santa Cruz |
| PROJECT: | Bridge rehabilitation project |
| ACTION: | No effect |
| ACTION DATE: | 4/15/97 |

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|--------------|--|
| PROJECT #: | ND-017-97 |
| APPLICANT: | Corps of Engineers |
| LOCATION: | Humboldt Bay and offshore dredge disposal site |
| PROJECT: | Maintenance dredging with ocean disposal |
| ACTION: | Concur |
| ACTION DATE: | 3/26/97 |

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|--------------|--|
| PROJECT #: | ND-031-97 |
| APPLICANT: | Navy |
| LOCATION: | Marine Corps Recruit Depot, San Diego |
| PROJECT: | Construction of a water survival training tank |
| ACTION: | Concur |
| ACTION DATE: | 3/28/97 |

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|--------------|---|
| PROJECT #: | NE-032-97 |
| APPLICANT: | Scripps Institute of Oceanography |
| LOCATION: | Offshore of La Jolla, City of San Diego |
| PROJECT: | Lease and modifications to two existing weather buoys |
| ACTION: | No effect |
| ACTION DATE: | 3/25/97 |

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|--------------|---|
| PROJECT #: | ND-033-97 |
| APPLICANT: | Navy |
| LOCATION: | Naval Construction Batallion Center, Port Hueneme |
| PROJECT: | Construction of an engine parts washer enclosure |
| ACTION: | Concur |
| ACTION DATE: | 3/27/97 |

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|--------------|---------------------------|
| PROJECT #: | ND-036-97 |
| APPLICANT: | Navy |
| LOCATION: | Naval Station, San Diego |
| PROJECT: | Construction of warehouse |
| ACTION: | Concur |
| ACTION DATE: | 3/28/97 |

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|--------------|--|
| PROJECT #: | ND-037-97 |
| APPLICANT: | Navy |
| LOCATION: | Naval Station, San Diego |
| PROJECT: | Construction of a three-story legal facility |
| ACTION: | Concur |
| ACTION DATE: | 3/28/97 |

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|--------------|---|
| PROJECT #: | ND-038-97 |
| APPLICANT: | Navy |
| LOCATION: | Naval Training Center, San Diego |
| PROJECT: | Salvage and demolition of 55 structures |
| ACTION: | Concur |
| ACTION DATE: | 4/11/97 |

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|--------------|--|
| PROJECT #: | ND-040-97 |
| APPLICANT: | Navy |
| LOCATION: | Ventura Harbor |
| PROJECT: | Three to five day test of cable damage from cable burial vehicle |
| ACTION: | Concur |
| ACTION DATE: | 4/11/97 |

| | |
|--------------|---|
| PROJECT #: | NE-042-97 |
| APPLICANT: | Caltrans |
| LOCATION: | Highway 1 at Old Creek near Cayucos, San Luis Obispo County |
| PROJECT: | Repair of storm damage |
| ACTION: | No effect |
| ACTION DATE: | 4/4/97 |

| | |
|--------------|---|
| PROJECT #: | NE-042-97 |
| APPLICANT: | Caltrans |
| LOCATION: | Highway 1 at Old Creek near Cayucos, San Luis Obispo County |
| PROJECT: | Repair of storm damage |
| ACTION: | No effect |
| ACTION DATE: | 4/4/97 |

| | |
|--------------|---|
| PROJECT #: | NE-044-97 |
| APPLICANT: | San Luis Obispo County |
| LOCATION: | Santa Rosa Creek at Ferrasci Road, near Cambria, San Luis Obispo County |
| PROJECT: | Repair of fish ladder |
| ACTION: | No effect |
| ACTION DATE: | 4/7/97 |

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|--------------|---|
| PROJECT #: | ND-046-97 |
| APPLICANT: | Navy |
| LOCATION: | Chollas Creek, Naval Station, San Diego |
| PROJECT: | Modification to previous project for maintenance dredging with upland and LA-5 disposal |
| ACTION: | Concur |
| ACTION DATE: | 4/11/97 |

| | |
|--------------|----------------------------|
| PROJECT #: | ND-049-97 |
| APPLICANT: | Corps of Engineers |
| LOCATION: | Port Hueneme, Ventura Co. |
| PROJECT: | Removal of submerged piles |
| ACTION: | Concur |
| ACTION DATE: | 4/15/97 |

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
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VOICE AND TDD (415) 904-5200



April 15, 1997

Larry Erwin
Dept. of Public Works
City of Santa Cruz
809 Center St. Rm 201
Santa Cruz, CA 95060

RE: No Effects Determination NE-12-97 City of Santa Cruz, Soquel Ave. Bridge Rehabilitation Project, San Lorenzo River, City and County of Santa Cruz

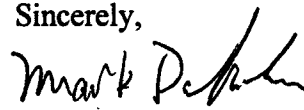
Dear Mr. Erwin:

The Coastal Commission staff has received the above-referenced No Effects letter from the City of Santa Cruz for removal and replacement of the existing Soquel Avenue Bridge with a new four span structure. The new replacement bridge will have about the same roadway width and length as the existing bridge. The purpose of the project is to improve the flood capacity of the bridge and the San Lorenzo River and to improve the earthquake safety of the bridge.

All construction within the river channel will be carried out in accordance with Fish and Game requirements. The construction period will be timed to avoid the annual steelhead migration period for the San Lorenzo River (October to April). In addition, the contractor will submit the following plans for Commission staff review and approval, to assure habitat effects will continue to be minimized: a river access plan, an erosion control plan, and a revegetation plan. The revegetation plan will include a monitoring plan to assure the success of any necessary revegetation.

With these measures, the project will not affect downstream water quality, wildlife, marine resources, fisheries, public access, or coastal views. We therefore agree with your No Effects letter. If you have any questions, please contact Tania Pollak at (415) 904-5297.

Sincerely,

(for) 
Peter Douglas
Executive Director

cc: Hank Myers, City Santa Cruz
Santa Cruz Area office
NOAA Assistant Administrator
Assistant General Counsel for Ocean Services
OCRM
Governor's Washington D.C. office

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000

SAN FRANCISCO, CA 94105-2219

TELEPHONE AND TDD (415) 904-5200



March 26, 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-17-97** Negative Determination, Army Corps, Spring 1997 Maintenance
Dredging, Humboldt Bay

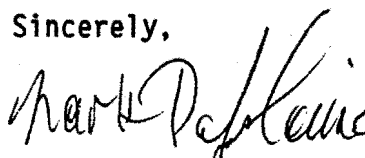
Dear Mr. Raoul:

On February 20, 1997, the Coastal Commission staff received the above negative determination for the maintenance dredging of up to 210,000 cu.yds. of material from the Humboldt Harbor, North Bay, Eureka, Samoa and Field's Landing Channels in Humboldt County. Disposal would be at the site used for the previous nine 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 consistency and negative determinations for projects previously concurred with by the Commission (ND-10-95, CD-111-94, CD-5-94, CD-1-93, ND-18-92, CD-29-91, CD-1-91, and CD-31-90), thereby potentially qualifying it for review under the negative determination process.

Spring dredging raises some different issues than fall dredging in Humboldt Bay, since spring dredging is predominantly fine material, whereas fall dredging is predominantly sandy material. Since the Commission concurred with EPA's consistency determination for the designation of the HOODS site as the permanent site for Humboldt Bay dredging (CD-72-95), the main outstanding concern raised during previous Commission and Executive Director reviews of spring dredging has been limited to the need to assure that the material now proposed for dredging has passed the necessary testing for contaminants. The Corps has assured us that only material that has met applicable water quality (i.e., "Green Book") tests as suitable for ocean disposal will be disposed at the HOODS site. Given the test results, we agree with the Corps that the project is similar to activities previously concurred with by the Commission through past consistency determinations and negative determinations.

In conclusion, for this proposed dredging episode, 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 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

PMD/MPD/ltc/1966p

CALIFORNIA COASTAL COMMISSION

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March 28, 1997

Pete Barbot
Department of the Navy, Southwest Division
Naval Facilities Engineering Command
Planning and Real Estate Department
1220 Pacific Highway
San Diego, CA 92132-5190

RE: **ND-31-97** Negative Determination, U.S. Navy, Construction of water survival training tank, Marine Corps Recruit Depot, San Diego

Dear Mr. Barbot:

The Coastal Commission staff has received the above-referenced negative determination for the construction of a water survival training tank at the Marine Corps Recruit Depot in San Diego. The project consists of constructing a one-story building housing a 50 meter by 25 meter swimming tank at the Recruit Depot, which is located just north of the San Diego International Airport (Lindbergh Field). The project is located on federal land, within an area surrounding by existing developed Navy facilities. The project will not affect any coastal zone resources.

We **agree** with the Navy that this project will not adversely affect any coastal zone resources. 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 Mark Delaplaine at (415) 904-5289 if you have questions.

Sincerely,

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

(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

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March 25, 1997

Captain William A. Gaines
Assistant Director
Marine Physical Laboratory
University of California, San Diego
9500 Gilman Drive
La Jolla, CA 92093-0701

Re: **NE-32-97** No Effects Determination, Scripps Institution of Oceanography, Weather Buoy Modification and Installation, Offshore of La Jolla, San Diego

Dear Capt. Gaines:

The Coastal Commission staff has received the above-referenced "No Effects" determination from the Scripps Institution of Oceanography (Scripps) for the modification of two, 10-meter-diameter weather buoys to be used as offshore oceanographic observatories. The buoys will be leased to Scripps by the National Ocean and Atmospheric Administration (NOAA) for 5 years to support a joint program of collaborative research.

Once the buoys are modified to provide the necessary research capabilities, the observatories will be anchored in the ocean directly west of Scripps in La Jolla, with the first observatory to be 2 miles west in 300 ft. of water, and the second observatory 15 miles west in 2,580 ft. of water. The observatories will be attached to the ocean bottom with a single anchor in an approved Coast Guard mooring arrangement.

The observatories will be used for studies of a broad spectrum of oceanographic and atmospheric processes in the littoral zone and across the coastal ocean. The observatories will provide basic meteorological information (such as wind stress, sea surface temperature, surface currents, temperature and salinity, and surface wave data), as well as biological information (such as dissolved oxygen, fluorescence, transmittance, and nutrients to estimate primary production). Each observatory will be equipped with a diesel generator and batteries, which will provide

electrical power to the installed electronic equipment." The observatories' data acquisition systems will be linked directly to a shore-based computer system.

To minimize the risks of fuel spills, Scripps states: "A safety fuel cell bladder, non-exploding high resistant 400 gallon fuel tank will be installed within a metal frame in a void space in the interior of each observatory." Scripps elaborates that this fuel cell was developed in close consultation with the Coast Guard, that it has 3 layers of protection between the fuel and the marine environment, and that it will be virtually "unpuncturable." In addition, the observatories will be moored clear of identified shipping channels and will display appropriate aids to navigation.

Scripps expects that during some experiments, researchers may wish to use active acoustic sources. Anticipating concerns such as those raised during the Commission's review of the Acoustic Thermometry of Ocean Climate (ATOC) project, prior to any use of active acoustic devices, or for any experiments that could have the potential to effect the environment, Scripps agrees that a separate authorization request for that specific experiment will be submitted to the Coastal Commission for its review. Also, anticipating that there will be numerous different researchers using the observatories at various periods of time, Scripps intends to work with the Commission staff to establish a set of guidelines to facilitate the authorization process for research to be conducted from the observatories.

With the commitment for further review of individual research projects that could affect marine resources, the Coastal Commission staff agrees with Scripps that the proposed project will not adversely affect coastal zone resources. We, therefore, concur with the no-effects determination made pursuant to 15 C.F.R. Section 930.50. If you have any questions, please contact Mark Delaplaine of the Coastal Commission staff at (415) 904-5289.

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
Army Corps, San Diego Field Office

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March 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-33-97** Negative Determination, 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 Navy's proposed construction of an addition to Building 465 at the Naval Construction Battalion Center (NCBC) in Port Hueneme. The addition would contain a large engine parts washer and would be 10 ft. by 18 ft. in area. 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,

A handwritten signature in cursive script 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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March 28, 1997

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

RE: **ND-36-97** Negative Determination, U.S. Navy, Warehouse, Naval Station San Diego

Dear Mr. McCay:

The Coastal Commission staff has received the above-referenced negative determination for the construction of a warehouse at the Naval Station San Diego, on the east side of San Diego Bay. The site is located at the intersection of Southall St. and Cummings Rd. adjacent to San Diego Bay in National City. The project consists of construction of a one-story, approximately 247,000 sq. ft. concrete facility adjacent to San Diego Bay. The site contains existing, smaller warehouses, which will be demolished. No hazardous materials will be stored at the warehouse. The surrounding area is heavily industrialized and intensely developed. The project height (34.5 ft.) will be comparable to adjacent structures. Therefore, no scenic public views will be affected. The project will not involve any discharges into marine waters. The project site contains no environmentally sensitive habitat. Public access and recreation will not be affected by the project.

We **agree** with your assessment that the project will not affect any 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 cursive script that reads "Mark Delaplaine".

(P.M.D.) 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

CALIFORNIA COASTAL COMMISSION

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March 28, 1997

F.P. Wiegand, Commander
Civil Engineer Corps, U.S. Navy
Commanding Officer
Naval Station San Diego
3455 Senn Rd.
San Diego, CA 92136-5084

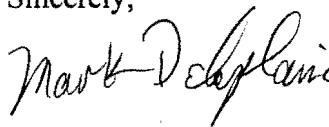
RE: **ND-37-97** Negative Determination, Navy Legal Facility, Naval Station San Diego

Dear Cmdr. Wiegand:

The Coastal Commission staff has received the above-referenced negative determination for the construction of a 3-story Navy Legal Facility, east of Harbor Drive at the Naval Station San Diego. The project consists of the construction of a 92,597 sq. ft. building, to replace 4 existing buildings which will be demolished. Existing land use at the site will not change; the project site is a developed area and surrounded by existing buildings of comparable heights. No construction activities would occur in, near, or affecting marine resources or environmentally sensitive habitat resources, and the project would not otherwise affect coastal resources.

We **agree** with your assessment that the project will not affect any 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,


(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

CALIFORNIA COASTAL COMMISSION

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April 11, 1997

Shiela Donovan
Department of the Navy, Southwest Division
Naval Facilities Engineering Command
1220 Pacific Highway
San Diego, CA 92132-5190

RE: **ND-38-97** Negative Determination, U.S. Navy, Demolition of 55 Structures,
Naval Training Center, San Diego

Dear Ms. Donovan:

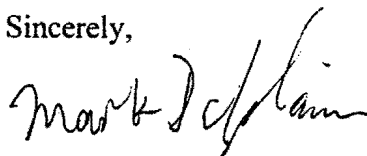
The Coastal Commission staff has received the above-referenced negative determination for the demolition of 55 structures at the Naval Training Center (NTC) in San Diego, north of North Harbor Drive and just west of the San Diego International Airport (Lindbergh Field). The NTC is in the process of closure, disposal, and reuse, and in all likelihood it will eventually be turned over to the City of San Diego. The demolition is occurring in preparation for this closure. The structures to be demolished at this time consist of mostly wood frame, stucco buildings built in the 1940s, as well as several barracks buildings built in the 1970s. None of the buildings proposed for demolition are important cultural or historic resources. The Navy has further clarified that existing building 430, located just north of North Harbor Drive at the NTC, which is an important historic structure (a mock-up of the "U.S.S. Recruit"), will not be affected under this demolition project.

Recycling of appropriate materials will occur to the maximum degree possible. All hazardous materials will be remediated. Wetting will be used during demolition to reduce dust, and work will be suspended during high winds. No discharges into the San Diego Bay will occur.

This negative determination does not seek authorization for base closure. The Commission retains independent federal consistency, planning, and coastal development permit jurisdiction over the disposal of and reuse activities at the NTC.

In conclusion, we agree with the Navy that this project will not adversely affect any coastal zone resources, and we concur with your negative determination for this project 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

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April 11, 1997

Susan C. Tianen
REA Manager
Environmental/Safety and Health
Department of the Navy
Naval Facilities Engineering Service Center
1100 23rd Ave.
Port Hueneme, CA 93043-4370

RE: **ND-40-97** Negative Determination, Crossing Cable/Plow Blade Test, Harbor Cove,
Ventura,

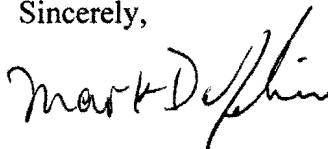
Dear Ms. Tianen:

The Coastal Commission staff has received the above-referenced negative determination for the Navy's proposal to conduct surfzone plowing/trenching tests to assess potential damage to fiber optic cables from cable burial vehicles. The tests would be performed at Harbor Cove in Ventura. The tests would consist of digging a 1 ft. by 1/2 ft. trench, for a length of 800 -900 ft., between high and low tide lines. A cable will be buried in the trench, the plow blade will cross the cable, and the cable deflection will be measured. All equipment will be removed upon completion of the test, and any areas disturbed will be restored to their original grade.

The project will occur over a 3-5 day period, tentatively scheduled for mid-April, 1997. In terms of noise and potential effects on access, the project duration is short and the project will be indistinguishable from existing harbor dredging and beach disposal occurring at the same time. No environmentally sensitive habitat will be affected.

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) 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

PMD/MPD/mra
1966p

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April 4, 1997

Aileen Loe
Caltrans, District 5
P.O. Box 8114
San Luis Obispo, CA 93403-8114

Re: **NE-42-97** "No Effects" Determination, Three Caltrans Emergency Repair Projects, Highway 1/Old Creek, Cayucos, San Luis Obispo County
Caltrans File No. 05-SLO-1-34.4 (05-455701)

Dear Ms. Loe:

The Coastal Commission staff has received Caltrans' request for authorization of three emergency repair projects related to emergency storm damage in San Luis Obispo County. The three repair projects are located in close proximity to each other where Highway 1 crosses Old Creek in Cayucos. The projects are described as follows:

Repair #1:

Location: approximately 200 ft. upstream of Highway 1 bridges, along northbound lanes.

Project: placement of 1-2 ton rock slope protection along approximately 100 ft. of the streambank.

Repair #2:

Location: north streambank downstream of each of the two Highway 1 bridges.

Project: excavation of portions of streambank to create a high flow channel.

Repair #3:

Location: beneath Highway 1 northbound lane, northerly abutment.

Project: placement of 1/4 ton rock slope protection along approximately 50 ft. of the streambank, directly beneath the bridge.

The projects are within the coastal development permitting jurisdiction of San Luis Obispo County, since the Commission has certified that county's Local Coastal Program. 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. We are not addressing the validity of that asserted exemption in this letter, as that is properly a matter between Caltrans and the County, other than to encourage Caltrans to notify the County prior to or at least within 14 days of project commencement, similar to the "Firestone" requirement that Caltrans notify the Commission of the action. The Commission nevertheless retains federal consistency authority because the project uses federal funds (and may require one or more federal permits).

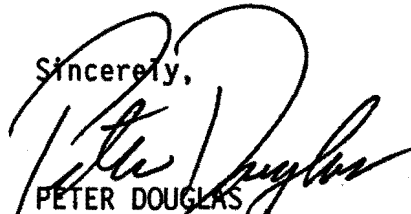
For example, as noted in our letter to your office of March 18, 1997, for a recent review of seven Caltrans emergency repair projects, we identified several projects for which we could waive federal consistency jurisdiction, based on lack of coastal zone effects, and one which we believed could have adverse effects that would need to be mitigated. For that project, we mutually agreed with Caltrans that we would address federal consistency jurisdiction through processing of an after-the-fact consistency certification, which Caltrans agreed to submit.

For the subject projects, we believe they can be waived, with no requirement for an after-the-fact submittal, based on their lack of coastal zone effects. For all three projects, no equipment will be located within the live stream, and no rocks or fill will be placed below the ordinary high water line. The projects will not affect any wetlands, riparian habitat, or other environmentally sensitive areas. All work will be limited to the existing road right-of-way. The Regional Water Quality Control Board (RWQCB), which, like the Coastal Commission, retains potential jurisdiction based on the fact that these projects are subject to Army Corps of Engineers jurisdiction, has also waived jurisdiction for these projects. Therefore, after coordinating with your office and with our Santa Cruz Area Office, we are waiving federal consistency jurisdiction for these three projects, based on criteria we have relied on in the past to waive federal consistency jurisdiction. The criteria met are as follows:

The projects are non-federal activities within the coastal zone and are subject to local and state permit exemptions under AB 2963 ("Firestone") provisions. While the Commission retains federal consistency authority because the project uses federal funds (and may require federal permits), the Coastal Commission declines to assert federal consistency jurisdiction, due to the fact that the projects do not raise significant issues with respect to coastal resources.

Based on this waiver we agree with Caltrans' "No Effects" determination for these projects. Please call Mark Delaplaine of my staff at (415) 904-5289 if you have any questions.

Sincerely,



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

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CALIFORNIA COASTAL COMMISSION

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April 7, 1997

Jill Ogren
San Luis Obispo County
Engineering Department
County Government Center, Room 207
San Luis Obispo County, CA 93408

RE: NE-044-97, No-Effects Determination for the repair of fish ladder Santa Rosa Creek at Ferrasci Road, near Cambria, San Luis Obispo County

Dear Ms. Ogren:

The Coastal Commission has received and reviewed the above-referenced no-effects determination. The proposed project includes repair of a fish ladder on Santa Rosa Creek at Ferrasci Road, near Cambria, San Luis Obispo County. Specifically, the project includes placement of sand bags to divert stream flows and the removal of five boulders. The County will remove the sand bags at the completion of the project. The County has initiated this repair and maintenance at the request of the Department of Fish and Game. The project will not result in a loss of habitat or permanent effects on stream flow. Since it will improve fish migration, the project will beneficially affect coastal resources.

In conclusion, the Coastal Commission staff agrees that the proposed project will not adversely affect coastal zone resources. We, therefore, concur with the no-effects determination made pursuant to 15 C.F.R. Section 930.50. 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 Douglas".

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
Tiffany Welch, Corps of Engineers

PMD/JRR
NE04497.DOC

CALIFORNIA COASTAL COMMISSION

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



April 11, 1997

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

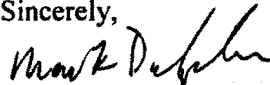
RE: **ND-46-97** Negative Determination, U.S. Navy, Dredging Modifications, Chollas Creek, Naval Station San Diego

Dear Mr. McCay:

The Coastal Commission staff has received the above-referenced negative determination for modifications to the previously-concurred-with consistency determination for the maintenance dredging of 99,000 cu. yds. of material at Chollas Creek, at the Naval Station San Diego on the east side of San Diego Bay. As originally concurred with by the Commission in CD-55-95, disposal was to occur at a landfill site outside the coastal zone. The project was initially modified in ND-58-96 to include ocean disposal; however we objected to that negative determination due to concerns over the testing protocol and results. Since the time of our objection, on October 31, 1996, the Navy has retested the material and revised the areas proposed for ocean disposal. The Navy now proposes to dispose of 41,719 cu. yds. of the material which has passed "Green Book" tests, and is therefore suitable for ocean disposal, at the EPA-approved offshore disposal site LA-5. The remaining 58,328 cu. yds. has not passed Green Book tests and would be disposed of at the same upland site as the original proposal. Since the Commission previously concurred with the dredging, and the material now proposed for ocean disposal has passed the tests needed to assure its suitability for such disposal, the modified proposal does not raise any new issues with respect to coastal zone effects on marine resources or water quality not previously considered by the Commission.

We agree with your assessment that the resources of the coastal zone will not be adversely affected by the project as modified. 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: San Diego Area Office
NOAA
Assistant Counsel for Ocean Services
OCRM
California Department of Water Resources
Governors Washington D.C. Office
EPA (Brian Ross)
Army Corps of Engineers (David Zoutendyk)

CALIFORNIA COASTAL COMMISSION

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

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

RE: **ND-49-97** Negative Determination, Pile Removal, Port Hueneme, Ventura County

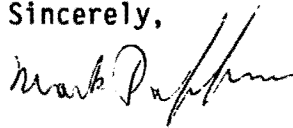
Dear Mr. Joe:

The Coastal Commission staff has received the above-referenced negative determination for the removal of three submerged piles, which is needed in preparation for a separate future harbor deepening project at Port Hueneme. The piles were identified during the taking of core samples for the deepening project. The piles will be pulled out or, if the attempt to extract the piles fails, they will be cut off in place. The activity will also assist the Corps in determining the appropriate removal scheme for the many remaining piles that may have to be removed under the larger (removal of up to 1700 piles) project.

All pile material will be disposed of at an appropriate landfill site. Any impacts from the removal operation will be temporary (lasting approximately one day); thus turbidity and benthic impacts will be extremely minor. The project site contains no environmentally sensitive habitat. No habitat concerns have been raised through the Corps' coordination with the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and the California Dept. of Fish and Game. Public access and recreation will not be affected by the project.

In conclusion, 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,


(foc) 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