

**CALIFORNIA COASTAL COMMISSION**

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



# Th 4

**DATE:** August 17, 1998

**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]

<b>PROJECT #:</b>	<b>NE-069-98</b>
<b>APPLICANT:</b>	Caltrans
<b>LOCATION:</b>	Highway 101, various locations, Mendocino Co.
<b>PROJECT:</b>	Storm damage repair of Highway 101
<b>ACTION:</b>	No effect
<b>ACTION DATE:</b>	7/29/1998

<b>PROJECT #:</b>	<b>ND-076-98</b>
<b>APPLICANT:</b>	Bureau of Land Management
<b>LOCATION:</b>	Humboldt Co.
<b>PROJECT:</b>	Road repairs
<b>ACTION:</b>	Concur
<b>ACTION DATE:</b>	7/16/98

<b>PROJECT #:</b>	<b>ND-077-98</b>
<b>APPLICANT:</b>	Coast Guard
<b>LOCATION:</b>	North Humboldt Spit, Humboldt Co.
<b>PROJECT:</b>	Approach Front Range Replacement
<b>ACTION:</b>	Concur
<b>ACTION DATE:</b>	7/16/1998

<b>PROJECT #:</b>	<b>ND-083-98</b>
<b>APPLICANT:</b>	Coast Guard
<b>LOCATION:</b>	Crescent City, Del Norte Co.
<b>PROJECT:</b>	Floating Dock Repairs
<b>ACTION:</b>	Concur
<b>ACTION DATE:</b>	8/3/1998

<b>PROJECT #:</b>	<b>ND-085-98</b>
<b>APPLICANT:</b>	Corps of Engineers
<b>LOCATION:</b>	Morro Bay, San Luis Obispo Co.
<b>PROJECT:</b>	Dredging Modifications
<b>ACTION:</b>	Concur
<b>ACTION DATE:</b>	7/29/1998

<b>PROJECT #:</b>	<b>ND-088-98</b>
<b>APPLICANT:</b>	Navy
<b>LOCATION:</b>	Calleguas Creek, Naval Air Weapons Station, Point Mugu, Ventura Co.
<b>PROJECT:</b>	Placement of riprap
<b>ACTION:</b>	Concur
<b>ACTION DATE:</b>	7/30/98

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25 FREMONT STREET, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
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July 29, 1998

Rick Harlacher  
LSA Associates  
6721 Five Star Boulevard, Suite C  
Rocklin, CA 95677

RE: NE-069-98, No-Effects Determination for the repairs of storm damages to Highway 101 in Mendocino County.

Dear Mr. Harlacher:

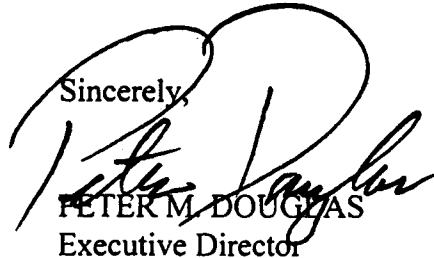
The Coastal Commission has received and reviewed the above-referenced consistency submittal. The proposed project provides for repair of storm damage to Highway 1 in Mendocino County. Specifically, Caltrans proposes the following repairs:

1. Construction of a 108-meter long tie-back wall along south side of Highway 1 and repair of road surface at Post Mile 4.7 near Fish Rock Beach in Mendocino County;
2. Construction of a 36-meter long tie-back wall along south side of Highway 1 and repair of road surface at Post Mile 4.9 near Fish Rock Beach in Mendocino County;
3. Repair of storm drains on Highway 1 within town of Gualala at Post Mile 0.7/0.8, Mendocino County;
4. Replacement of a culvert beneath Highway 1, installation of an inlet to collect water from road side ditch and private drive, and placement of rock slope protection in the ditch, at Post Mile 8.0/8.1, near Steens Landing, Mendocino County; and
5. Construction of a can wall with lightweight fill on the slope and shoulder, repair of guard rail and AC dike, and pave roadway on the south side of Highway 1 at Post Mile 41.0/41.1, near Navarro River, Mendocino County.

The proposed projects will repair existing roads within existing Caltrans right-of-ways. None of the projects will adversely affect sensitive coastal resources, wetlands, or special status species. Although the projects may temporarily increase traffic congestion and thus interfere with access to the beach, they will result in improved traffic conditions. Therefore, they will result in a net benefit to coastal access.

In conclusion, the Coastal Commission staff agrees that the proposed project will not adversely affect coastal zone resources. We, therefore, concur with the conclusion that the proposed activity does not require a consistency certification 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,



PETER M. DOUGLAS  
Executive Director

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

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July 16, 1998

Lynda Roush  
Arcata Field Manager  
Bureau of Land Management  
Arcata Resource Area  
1695 Heindon Rd.  
Arcata, CA 95521-4573

RE: **ND-76-98** Negative Determination, Road Repairs, Jetty Road, North Humboldt Spit

Dear Ms. Roush:

The Coastal Commission staff has received the above negative determination for the repair of 475 ft. of Jetty Rd., within the Samoa Dunes Recreation Area on the north Humboldt Spit in Humboldt County. The road has been damaged by erosion, and BLM proposes to place riprap along two sections of road, one 425 ft. segment and another 50 ft. segment of the road.

All work will be performed from the existing road. BLM has analyzed habitat impacts and determined the repairs would not adversely affect any environmentally sensitive habitat. Moving the road further inland as an alternative to riprap placement would be likely to adversely affect sensitive habitat. Moreover, maintenance of the road is necessary to support a number of uses that are of high priority under the Coastal Act (such as public recreation, Coast Guard rescue missions, and Corps of Engineers maintenance of the north jetty).

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." The project is adjacent to a BLM proposal for similar repairs on Jetty Rd. which we concurred with on January 26, 1998 (ND-5-98). 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

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

PETER M. DOUGLAS  
Executive Director

cc: North Coast Area Office  
NOAA  
OCRM  
California Dept. of Water Resources  
Governors Washington, D.C. Office  
RWQCB, North Coast Region  
Army Corps of Engineers, S. F. District  
Army Corps of Engineers, Eureka Field Office

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July 16, 1998

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

RE: **ND-77-98** Negative Determination, U.S. Coast Guard, Humboldt Bay Approach Front Range replacement, north Humboldt spit, Humboldt Co.

Dear Mr. Stalters:

The Coastal Commission staff has received the above-referenced negative determination for the replacement of the Coast Guard's Approach Front Range on the ocean side of the north Humboldt spit. The existing facility has been damaged by weather conditions and needs replacement. The project involves the construction of a new "Front Range," which is a steel pile structure on which a platform is mounted containing lights, a fog signal, a camera and transmitter, and construction of a new fiberglass hut to support electrical operations for Coast Guard activities. The new Front Range will be a 6 ft. by 6 ft. steel platform mounted on piles, located approximately 50 ft. inland of the existing facility which was damaged and needed to be removed. The height of the structure will be the same as the existing facility (35 ft.). The fiberglass hut will also replace an existing similar facility; the hut will be 80 sq. ft. and 10.5 ft. tall. All previously disturbed areas where existing facilities are being removed will be restored to their natural conditions.

The project will improve vital Coast Guard rescue missions. No environmentally sensitive habitat will be affected. Visual impacts will be similar to the facilities being replaced. Therefore, we **agree** with your conclusion that no adverse impact to coastal resources will 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 any questions.

Sincerely,

  
PETER M. DOUGLAS  
Executive Director

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



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August 3, 1998

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

RE: **ND-83-98** Negative Determination, U.S. Coast Guard, Floating Dock Repairs, Crescent City, Del Norte Co.

Dear Mr. Stalters:

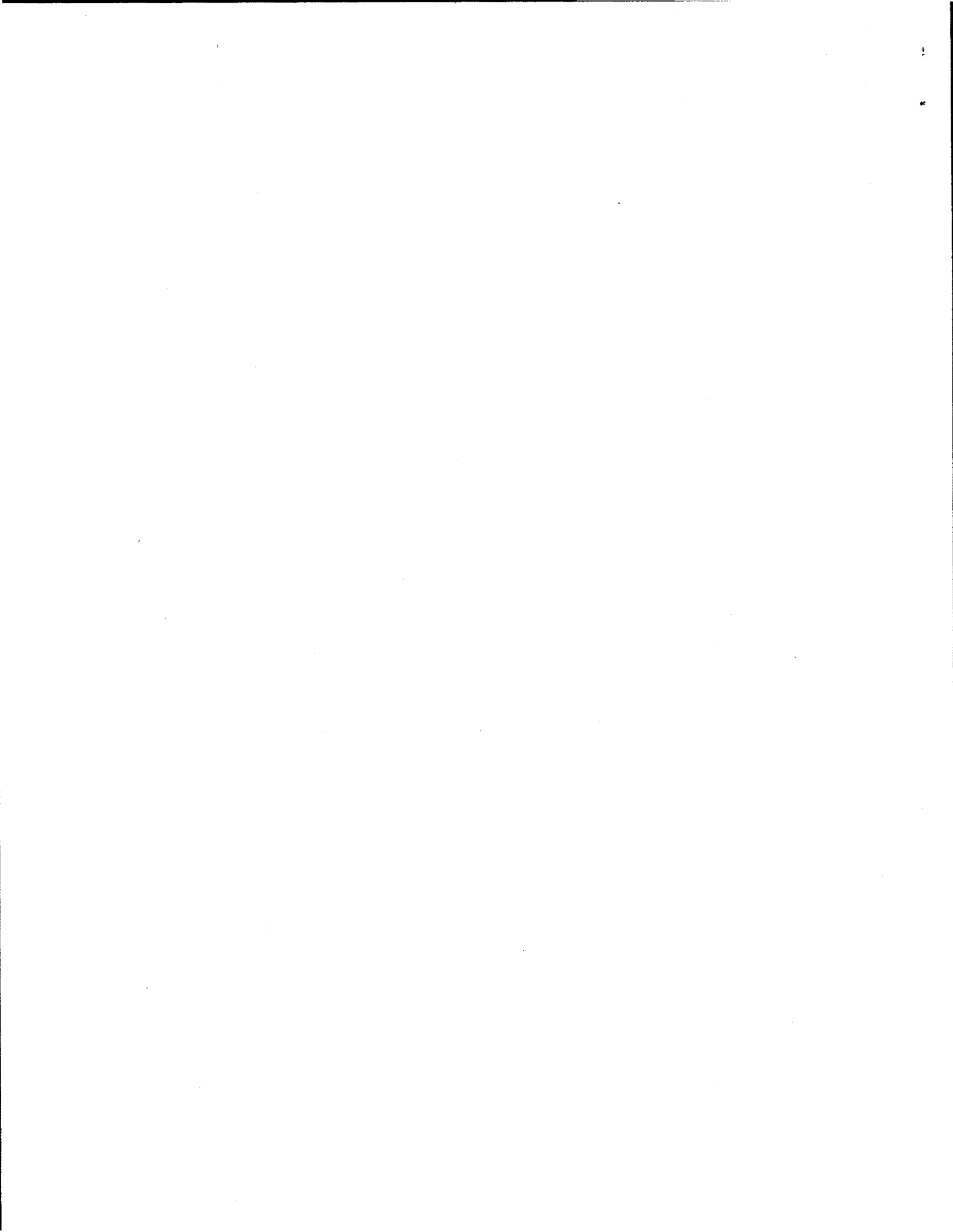
The Coastal Commission staff has received the above-referenced negative determination for several repairs to existing floating docks at the Coast Guard Mooring facility in Crescent City. The project would consist of minor repairs to existing facilities and would involve repairing steel piles, replacing pile guides, replacing existing walers and cleats, removing existing pile supports, and other minor repairs. No dredging, fill, or underwater construction will be required. No environmentally sensitive habitat will be affected. Visual impacts will be similar to the facilities being repaired. Therefore, we **agree** with your conclusion that no adverse impact to coastal resources will 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) 904-5289 if you have any questions.

Sincerely,

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

PETER M. DOUGLAS  
Executive Director

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



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July 29, 1998

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-85-98** Negative Determination, Army Corps, Dredging Modifications, Morro Bay,  
San Luis Obispo County

Dear Mr. Joe:

The Coastal Commission staff has received the above-referenced negative determination for a modification to the Corps' maintenance dredging with nearshore disposal at Morro Bay, San Luis Obispo County. We previously concurred with this project as ND-89-97 (and with time extensions in ND-17-98 and ND-20-98). Operations were halted in April 1998, due to lack of funds. Additional funds are now available, and the Corps proposes to dredge 80,000 cu. yds. from the entrance channel in August 1998. The Corps has submitted this negative determination because it agreed to coordinate with all resource agencies if any work were proposed beyond March 1, 1998. As was determined previously, nearshore disposal in August will not affect snowy plovers.

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." We have concurred with similar consistency and negative determinations for dredging projects in Morro Bay in CD-81-91, CD-44-93, ND-29-95, ND-89-97, ND-17-98, and ND-20-98. The impact of the project as modified is the same as compared to the previously-authorized projects. We therefore **concur** with your negative determination for the revised 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 any questions.

Sincerely,

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

(for)

PETER M. DOUGLAS  
Executive Director

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

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July 30, 1998

Vivian Goo, Deputy Public Works Officer  
Attn: James Danza  
Department of the Navy  
Naval Air Weapons Station  
521 9th Street  
Point Mugu, CA 93042

RE: **ND-88-98** Navy, Modification to ND-065-98 - Placement of riprap, Calleguas Creek, Naval Air Weapons Station (NAWS), Point Mugu, Ventura Co.

Dear Ms. Goo:

On July 6, 1998, the Commission staff objected to your negative determination for the above referenced project, the placement of riprap along Calleguas Creek at NAWS. Our objection was based on concerns over wetlands impacts, downstream effects, and the lack of alternatives considered. The Navy has modified the project in light of these concerns and resubmitted the project as a negative determination. With the modifications, the Navy has agreed to: (1) consider the project temporary, pending the conclusion of two studies of erosion along the creek and the stability of the bridge abutments; (2) replace the riprap with sandbags, covered by filter fabric and rock mattresses (which would be easier to remove); (3) submit a new consistency or negative determination in the event the studies show a different alternative is appropriate; (4) remove the project if the studies show it would not be effective; (5) use silt curtains to minimize turbidity; (6) limit work to low tide periods; (6) construct in a manner avoiding vehicles driving across adjacent wetlands and sensitive habitat; and (7) maintain a natural resources monitor on site during construction.

Based on the very small area affected (0.005 acres), the Navy's need to maintain the major water supply for the base which is threatened by bank erosion, and the above modifications, we believe the Navy has adequately responded to the Commission staff's concerns, enabling us to now **agree** with the Navy that the project, as modified, will not

affect the coastal zone. We therefore **concur** with your negative determination for the project, as modified, made pursuant to Section 15 CFR 930.35(d) of the NOAA implementing regulations. Please contact Tania Pollak at (415) 904-5270 if you have any questions.

Sincerely,



(for)

Peter M. Douglas  
Executive Director

cc: Ventura Area Office  
Bruce Henderson, Army Corps of Engineers  
Regional Water Quality Control Board, L.A. Region  
NOAA  
Assistant Counsel for Ocean Services  
OCRM  
California Department of Water Resources  
Governors Washington D.C. Office