

## CALIFORNIA COASTAL COMMISSION

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



# W 13

**DATE:** December 10, 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]

|              |  |
|--------------|--|
| PROJECT #:   | ND-104-98  |
| APPLICANT:   | Marine Corps   |
| LOCATION:    | Vandegrift Blvd., Lemon Grove Area, Camp Pendleton<br>Marine Corps Base, San Diego Co. |
| PROJECT:     | Services mall  |
| ACTION:      | Concur   |
| ACTION DATE: | 11/18/98   |

|              |  |
|--------------|--|
| PROJECT #:   | ND-105-98  |
| APPLICANT:   | Marine Corps   |
| LOCATION:    | Del Mar Area, Camp Pendleton Marine Corps Base, San<br>Diego Co. |
| PROJECT:     | Parking lot improvements   |
| ACTION:      | Concur   |
| ACTION DATE: | 11/18/98   |

|              |   |
|--------------|---|
| PROJECT #:   | ND-116-98   |
| APPLICANT:   | Navy  |
| LOCATION:    | Naval Construction Battalion Center, Port Hueneme,<br>Ventura Co. |
| PROJECT:     | Replacement of piles on an existing wharf                         |
| ACTION:      | Object  |
| ACTION DATE: | 12/7/98   |

|              |  |
|--------------|--|
| PROJECT #:   | ND-130-98  |
| APPLICANT:   | Navy   |
| LOCATION:    | Naval Air Weapons Station, Point Mugu, Ventura Co. |
| PROJECT:     | Relocation of utility bridge                       |
| ACTION:      | Concur   |
| ACTION DATE: | 11/20/98   |

|              |   |
|--------------|---|
| PROJECT #:   | ND-131-98   |
| APPLICANT:   | National Park Service   |
| LOCATION:    | Channel Islands National Park, Santa Cruz Island, Santa Barbara Co. |
| PROJECT:     | Reconstruction of a pier  |
| ACTION:      | Concur  |
| ACTION DATE: | 12/8/98   |

|              |  |
|--------------|--|
| PROJECT #:   | ND-143-98  |
| APPLICANT:   | Navy   |
| LOCATION:    | Laguna Peak Rd., Naval Air Weapons Station, Point Mugu Island, Ventura Co. |
| PROJECT:     | Landslide repair   |
| ACTION:      | Concur   |
| ACTION DATE: | 11/14/98   |

|              |  |
|--------------|--|
| PROJECT #:   | ND-146-98                                |
| APPLICANT:   | Navy                                     |
| LOCATION:    | Offshore of Ormond Beach, Ventura County |
| PROJECT:     | Aquaplow Systems burial test             |
| ACTION:      | Concur                                   |
| ACTION DATE: | 11/25/98                                 |

|              |                                       |
|--------------|---------------------------------------|
| PROJECT #:   | ND-147-98                             |
| APPLICANT:   | Navy                                  |
| LOCATION:    | Offshore of Ormond Beach, Ventura Co. |
| PROJECT:     | Cable burial and removal              |
| ACTION:      | Concur                                |
| ACTION DATE: | 12/3/98                               |

|              |   |
|--------------|---|
| PROJECT #:   | NE-148-98   |
| APPLICANT:   | Penfield & Smith                                      |
| LOCATION:    | 1755 Fernald Point Lane, Montecito, Santa Barbara Co. |
| PROJECT:     | Minor repairs to an existing seawall                  |
| ACTION:      | No effect   |
| ACTION DATE: | 12/4/98   |

**CALIFORNIA COASTAL COMMISSION**

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November 18, 1998

Lieutenant Colonel K.W. Quigley  
Environmental Security Office  
United States Marine Corps  
Marine Corps Base  
Box 555010  
Camp Pendleton, CA 92055-5010

RE: ND-104-98, US Marine Corps, Negative Determination for Construction of Services  
Mall near Lemon Grove Area, Marine Corps Base, Camp Pendleton

Dear Lieutenant Colonel Quigley:

The Coastal Commission staff has received the above-referenced negative determination (Marine Corps' No. 5090.5A, ENVSEC/512) for constructing a mall inland of Interstate 5 near the Lemon Grove Area of Camp Pendleton. The Marine Corps proposes utilizing a partially developed and disturbed area by constructing a non-industrial, single-story, shopping mall and parking lot within a ten-acre site. The proposed construction would be adjacent to an existing retail commissary and parking lot. The Marine Corps would be implementing Best Management Practices to control soil erosion and discourage site pollution. Furthermore, the construction site would be graded to direct flow into an existing percolation area. Access to the project site would be through existing access roads. There are no sensitive areas within the immediate project site and the project would not negatively impact other coastal zone resources.

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 Lauma Jurkevics at (562) 590-5087 if you have any questions.

Sincerely,

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

(for) PETER M. DOUGLAS  
Executive Director

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

*File name: nd10598c - final letter*

## CALIFORNIA COASTAL COMMISSION

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



November 18, 1998

Lieutenant Colonel K.W. Quigley  
Environmental Security Office  
United States Marine Corps  
Marine Corps Base  
Box 555010  
Camp Pendleton, CA 92055-5010

RE: ND-105-98, US Marine Corps, Negative Determination for Army Reserve Center  
Parking Lot Improvements at Del Mar Area, Marine Corps Base, Camp Pendleton

Dear Lieutenant Colonel Quigley:

The Coastal Commission staff has received the above-referenced negative determination (Marine Corps' No. 5090.5A, ENVSEC/512) for modifying an existing 3.5-acre parking lot at the Del Mar Area of Camp Pendleton. The Marine Corps proposes paving a sandy parking lot to an asphalt one, thus allowing for all-weather usage. The proposed construction would be implemented during the dry weather period in autumn. The Marine Corps would be implementing Best Management Practices to control soil erosion and discourage off-site pollution. Furthermore, the construction site would be graded to direct flow away from wetlands and into a proposed percolation gravel site along the perimeter of the lot. The project work and laydown areas would be limited to the site and would not be permitted to encroach into the surrounding percolation project. There are no sensitive areas within the immediate project site and the project would not negatively impact other coastal zone resources.

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 Lauma Jurkevics at (562) 590-5087 if you have any questions.

Sincerely,

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

(for)

PETER M. DOUGLAS  
Executive Director

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

*File name: nd10598c - final letter*

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT STREET, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
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December 7, 1998

Mr. W. D. Venable  
Director, Environmental Division  
Department of the Navy  
Naval Construction Battalion Center  
1000 23<sup>rd</sup> Avenue  
Port Hueneme, CA 93043-4301

RE: ND-116-98, Department of the Navy, Negative Determination for Extracting and Replacing 170 Piles, Port Hueneme Harbor, Naval Construction Battalion Center, Port Hueneme, Ventura County

Dear Mr. Venable:

On September 8, 1998, the Coastal Commission staff received a request for concurrence with the Navy's negative determination for the above-referenced project (Navy's No. 5090/41BD). In addition, we received supplemental information on September 28, 1998. The Navy proposes to utilize plastic-wrapped creosote-treated and/or Defense Logistics recommended arsenic-treated timber piles when replacing deteriorated piles at eight wharf locations. The Navy also proposes conducting various repairs and maintenance activities.

According to the California Department of Fish and Game, in a September 10, 1998, memorandum from Mr. Donald L. Lollock, the Dept. of Fish and Game will accept the use of plastic-wrapped creosote-treated woodpiles under certain conditions. One of those conditions includes utilizing such piles for the repair of existing projects that were previously constructed with wood products. However, despite several telephone conversations with the Dept. of Fish and Game, we have been unable to determine whether a pile replacement project of this magnitude would meet the requirements of the Dept. of Fish and Game. Consequently, at this time we are unable to concur with your determination that this project would not affect water quality and natural resources of the coastal zone.

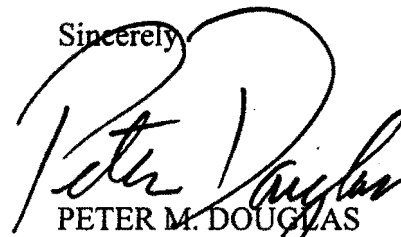
Consequently, we **object** to your negative determination for the project made pursuant to Section 15 CFR 930.35(d) of the NOAA implementing regulations. We would be willing to reconsider this decision if:

1. The Navy were to modify the project by not including the use of creosote-treated wood for the pilings; or

2. The Navy were to submit written approval from the California Department of Fish and Game for the use of creosote-treated wood in this specific project.

If the Navy can modify the project or obtain approval from the Dept. of Fish and Game, please feel free to submit a revised negative determination to James Raives, Federal Consistency Coordinator, at this office (and provide a copy of this information directly to Lauma Jurkevics at the Coastal Commission's South Coast Area office (200 Oceangate, 10<sup>th</sup> Floor, Long Beach, CA 90802-4416)). If you have any questions, please contact Lauma Jurkevics at (562) 590-5087.

Sincerely,



PETER M. DOUGLAS  
Executive Director

cc: CCC, Long Beach and Ventura Offices  
NOAA  
Assistant Counsel for Ocean Services  
OCRM  
California Department of Water Resources  
Governors Washington D.C. Office  
James Raives  
Army Corps, L.A. District

*File name: nd11698b - letter (no concurrence)*



**CALIFORNIA COASTAL COMMISSION**

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November 20, 1998

Vivian Goo, Deputy Public Works Officer  
Department of the Navy  
ATTN: James Danza, Environmental Planner  
Naval Construction Battalion Center  
1000 23rd Avenue  
Port Hueneme, CA 93043-4301

RE: ND-130-98 Negative Determination, Utility Bridge Relocation, Naval Air Weapons Station, Point Mugu, Ventura County

Dear Mr. Danza:

We have received your negative determination for the relocation of the 11<sup>th</sup> Street utility bridge at the Naval Air Weapons Station, Point Mugu. The proposed project includes:

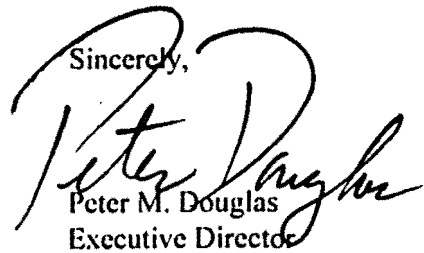
1. Replacement of the existing 11<sup>th</sup> Street bridge by constructing a new bridge;
2. Relocating the emergency overflow sewage line on the existing bridge to the new bridge;
3. Removing the rock blankets placed at the base of the existing bridge to temporarily protect the bridge from erosion (authorized under ND-65-98);
4. Construction of an access road from the gate near Highway 101 to the northern side of the sewage ponds; and
5. Relocating the existing water main from the Pond Road to the shoulder of the new proposed access road and around the northern side of the sewage ponds.

Based on an Army Corps of Engineers' study, the existing bridge is inadequate to withstand future flood flows and erosion and is no longer suitable for vehicle traffic. Access to the area is necessary to maintain the emergency wastewater pond, electrical and communication lines, and water mains. The bridge is designed to avoid construction within wetlands and Calleguas Creek. Therefore, there will be no impacts on coastal resources from construction of the new bridge.

The project also includes construction of a single lane access road on the northern side of the sewage ponds. Although an existing road (Pond Road) currently serves the 11<sup>th</sup> Street Bridge, construction of the access road on the northern end of the sewage ponds will reduce use of the existing Pond Road, which crosses approximately 1,000 feet of wetland. The existing watermain, currently along Pond Road, will be re-routed to the shoulder of the new road. Construction of the new road will affect approximately 175 linear feet of wetland and require 450 cubic yards of fill. This wetland area is severely degraded and has low habitat value. To mitigate the impacts from the road, the Navy proposes to excavate a .25 acre area (3:1 mitigation ratio) near the project site, creating a hydrologic connection to the existing wetland. The area will be left to reseed naturally.

The Navy has committed to monitor the site for three years and report to the Commission staff on the extent and type(s) of vegetation found in the mitigation site. While a larger habitat enhancement program for the area, including removal of exotic species and/or revegetation of the site, would provide more effective and meaningful mitigation, the Commission staff agrees that requiring such an enhancement program is infeasible for this specific project, due to its small acreage of impact and extremely degraded nature of the site. Reducing use of Pond Road will benefit wetland resources in the overall project area, and will further the Navy's ultimate objective of restoring the entire area. Therefore, although construction of the road impacts some wetland areas, the Commission staff believes that overall the project will benefit wetland resources.

We therefore agree that this activity will not adversely affect coastal zone resources, 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) 904-5270 if you have any questions.

Sincerely,  
  
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 of Engineers, Ventura Field Office

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SAN FRANCISCO, CA 94105-2219  
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FAX (415) 904-5400



December 8, 1998

Tim J. Setnicka  
Superintendent  
Channel Islands National Park  
ATTN: Mary Devine  
1901 Spinnaker Drive  
Ventura, CA 93001

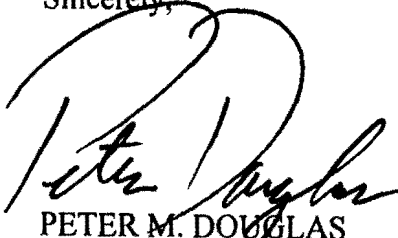
Subject: Negative Determination ND-131-98 (Scorpion Anchorage Pedestrian Pier, Santa Cruz Island, Channel Islands National Park).

Dear Mr. Setnicka:

The Coastal Commission staff has reviewed your negative determination for reconstruction of the Scorpion Anchorage Pedestrian Pier on the northeast shore of Santa Cruz Island. The original pier at this location was built in the early 1970s and failed in 1983. Currently, all visitors and park employees arrive in inflatable skiffs through the surf; the reconstructed pier will provide a safer method of entry to the island for travelers. The Park Service proposes to install a 90-foot-long by 10-foot-wide railroad flatcar chassis as a pier in the original location of the fallen pier at Scorpion Anchorage. The pier will be supported on each end by concrete abutments. The existing offshore rock and concrete abutment will be used, but it will be strengthened by encapsulating it with new concrete. A new onshore concrete abutment (in the same alignment as the original pier) will be constructed using temporary cofferdams, temporarily displacing a small amount of rock and gravel. The reconstructed pier will not generate any significant adverse effects on visual resources and will improve public access opportunities to Santa Cruz Island.

The Coastal Commission staff agrees that the proposed pier reconstruction project will not adversely affect 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,



PETER M. DOUGLAS  
Executive Director

cc: South Central Coast Area Office  
Corps of Engineers, Ventura Field 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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November 13, 1998

Vivian Goo, Deputy Public Works Officer  
Department of the Navy  
ATTN: James Danza, Environmental Planner  
Naval Construction Battalion Center  
1000 23rd Avenue  
Port Hueneme, CA 93043-4301

RE: ND-143-98 Negative Determination, Landslide repair, Laguna Peak Road, Point Mugu, Ventura County)

Dear Mr. Danza:

We have received your negative determination to stabilize a portion of the hillside above Laguna Peak Road, approximately two miles east of the center of the Naval Air Weapons Station in Point Mugu. Severe storms over the last several years have reactivated a slide in the project site; the entire slide encompasses 2.75 acres. Construction will impact approximately 0.81 acres. The project will stabilize the hillside by preventing saturation of the soil. The project includes the installation of surface drains on the upper and mid-sections of the slide; horizontal wells drilled on the mid-section of the slide; regrading several depressions; and installation of several flexible surface drains on benches and along Laguna Peak Road to guide surface water flow. In addition, the Navy has stated that the finished grade will match the natural looking slope and will be reseeded with native plant mix.

There will be no long-term impacts to coastal resources from this project. Long-term aesthetics of the area will not be impacted, and no endangered or threatened species will be affected. In addition, the Commission has previously concurred with a similar negative determination for slope stabilization near the proposed project site. 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) 904-5270 if you have any questions.

Sincerely,

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

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 STREET, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
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November 25, 1998

Shawn Hynes  
Naval Facilities Engineering Service Center  
1100 23rd Ave.  
Port Hueneme, CA 93043-4370

RE: **ND-146-98** Negative Determination, Aquaplow System burial test, off Ormand Beach,  
Ventura County


Dear Ms. Hynes:

The Coastal Commission staff has received the above-referenced negative determination for the Navy's proposal to test its Aquaplow system by burying and removing a cable. The test consists of digging a trench approximately one meter deep in 100 meters of water. The project will occur off shore from Ormand Beach. The test will begin on November 30, 1998 and last seven days.

Any impacts from the project will be short-term and will not significantly affect any coastal resources. No hazardous materials will be discharged from the equipment and no sensitive resources will be affected by the project. The project will avoid any kelp beds. The temporary displacement of sand from the cable burial and removal will not contribute to any long-term impacts. Further, public access and recreational opportunities will 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 Tania Pollak at (415) 904-5270 if you have any 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

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT STREET, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
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December 3, 1998

Alice Brumfield  
Naval Facilities Engineering Service Center  
1100 23rd Ave.  
Port Hueneme, CA 93043-4370

RE: **ND-147-98** Negative Determination, burial and removal of cable using Alternatives  
Techniques Project test, off Ormond Beach, Ventura County

Dear Ms. Brumfield:

The Coastal Commission staff has received the above-referenced negative determination for the Navy's proposal to bury and remove a cable off shore from Ormond Beach. Two 2 km lengths of cable will be buried in the sandy seafloor 1 meter deep, in water depths of 40-60 feet. Removal will occur by divers attaching lift bags to the buried cable. Several extraction tests will occur on each length of cable. The cables will be installed in January, 1999, and removed in June, 1999.

Any impacts from the project will be short-term and will not significantly affect any coastal resources. No hazardous materials will be discharged from the equipment and no sensitive resources will be affected by the project. The project will avoid any kelp beds and rocky bottom habitat. The temporary displacement of sand from the cable burial and removal will not contribute to any long-term impacts. Further, public access and recreational opportunities will 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 Tania Pollak at (415) 904-5270 if you have any questions.

Sincerely,

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

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SAN FRANCISCO, CA 94105-2219  
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December 4, 1998

Cindy Poiré  
Project Coordinator  
Penfield & Smith  
101 E. Victoria St.  
P.O. Box 98  
Santa Barbara, CA 93102

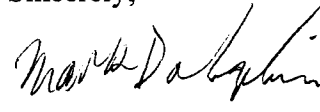
RE: **NE-148-98**, No-Effects Determination for minor repairs to existing seawall  
1755 Fernald Point Lane, Montecito, Santa Barbara County.

Dear Ms Poiré:

The Coastal Commission has received and reviewed the above-referenced consistency submittal. The proposed project includes replacement of three concrete grouted boulders within an existing seawall at 1755 Fernald Point Lane in Montecito. The repairs would not expand the size or effect of the existing seawall, and all construction work will take place from the landward side of the seawall. The project requires a coastal development permit from the County of Santa Barbara. The project is within an area where such permits are appealable to the Coastal Commission. If this project raises coastal issues, the Commission can also evaluate them through the appeals process.

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 Mark Delaplaine of the Coastal Commission staff at (415) 904-5289.

Sincerely,

  
(for) PETER M. DOUGLAS  
Executive Director

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