

**CALIFORNIA COASTAL COMMISSION**

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



**RECORD PACKET COPY**

**DATE:** March 23, 1999

**Tu 4**

**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>	NE-072-98
<b>APPLICANT:</b>	City of Daly City, San Mateo Co.
<b>LOCATION:</b>	Avalon Canyon, Daly City
<b>PROJECT:</b>	Repair of storm damage
<b>ACTION:</b>	No effect
<b>ACTION DATE:</b>	3/18/99

<b>PROJECT #:</b>	NE-118-98
<b>APPLICANT:</b>	San Luis Obispo County
<b>LOCATION:</b>	Canet Rd./Chorro Creek, Morro Bay area, San Luis Obispo County
<b>PROJECT:</b>	Repair of storm damaged road
<b>ACTION:</b>	No effect
<b>ACTION DATE:</b>	2/26/99

<b>PROJECT #:</b>	NE-128-99
<b>APPLICANT:</b>	Santa Barbara Municipal Airport
<b>LOCATION:</b>	Santa Barbara Municipal Airport, Goleta, Santa Barbara Co.
<b>PROJECT:</b>	Culvert Repairs
<b>ACTION:</b>	No effect
<b>ACTION DATE:</b>	3/4/99

<b>PROJECT #:</b>	NE-142-98
<b>APPLICANT:</b>	San Luis Obispo County
<b>LOCATION:</b>	North Ocean Ave, Cayucos, San Luis Obispo County
<b>PROJECT:</b>	Road Repairs
<b>ACTION:</b>	No effect
<b>ACTION DATE:</b>	2/26/99

PROJECT #:	ND-155-98
APPLICANT:	Marine Corps
LOCATION:	Camp Pendelton Marine Corps Base, San Diego Co.
PROJECT:	Sewage effluent compliance
ACTION:	Object
ACTION DATE:	3/12/99

PROJECT #:	ND-009-99
APPLICANT:	Navy
LOCATION:	Naval Construction Battalion Center, Port Hueneme, Ventura Co.
PROJECT:	Modifications to previously approved seawater desalination plant
ACTION:	Concur
ACTION DATE:	3/18/99

PROJECT #:	ND-011-99
APPLICANT:	Marine Corps
LOCATION:	Naval Post Graduate School, Monterey, Monterey Co.
PROJECT:	Urban Warfighting Experiment
ACTION:	Commission objection, followed by Executive Director concurrence with modified project
ACTION DATE:	3/11/99 and 3/12/99

PROJECT #:	ND-012-99
APPLICANT:	Coast Guard
LOCATION:	Coast Guard Master Station Pacific Transmitter, near Point Reyes National Sea Shore, Marin Co.
PROJECT:	Remove existing antenna and install new antenna.
ACTION:	Concur
ACTION DATE:	3/3/99

PROJECT #:	NE-013-99
APPLICANT:	San Luis Obispo County
LOCATION:	Post Mile 2.1, Turri Road near Baywood Park, San Luis Obispo Co.
PROJECT:	Repair and improvements to erosion damaged road
ACTION:	No effect
ACTION DATE:	3/19/99

PROJECT #:	NE-014-99
APPLICANT:	Pacific Gas & Electric
LOCATION:	Point Sur Light Station, Monterey Co.
PROJECT:	Placement of an antenna on Coast Guard tower
ACTION:	No effect
ACTION DATE:	2/26/99

PROJECT #:	NE-015-99
APPLICANT:	Caltrans
LOCATION:	Highway 1 near Ragged Point, northern San Luis Obispo Co.
PROJECT:	Extend two box culverts at post miles 72.49 and 72.60 on Highway 1
ACTION:	No effect
ACTION DATE:	3/2/99

PROJECT #:	ND-017-99
APPLICANT:	National Park Service
LOCATION:	Point Reyes National Seashore
PROJECT:	Construction of staff housing unit and rehabilitation of septic system at the American Youth Hostel
ACTION:	Concur
ACTION DATE:	3/2/99

PROJECT #:	ND-021-99
APPLICANT:	Corps of Engineers
LOCATION:	Los Angeles River, Los Angeles
PROJECT:	Extend the completion date for the previously concurred with maintenance dredging of the Los Angeles River Estuary Maintenance dredging
ACTION:	Concur
ACTION DATE:	3/15/99

## CALIFORNIA COASTAL COMMISSION

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March 18, 1999

Andrea Ouse  
City of Daly City  
333 90th St.  
Daly City, CA 94015-1895

RE: **NE-072-98**, No-Effects Determination, Storm Damage Repairs, Avalon Canyon, Daly City, San Mateo Co.

Dear Ms. Ouse:

The Coastal Commission has reviewed the above-referenced consistency submittal for storm damage repairs within Avalon Canyon in Daly City. The proposed repair work includes removal of an existing church, slope stabilization, construction of a temporary access road, installation of underdrain pipes, construction of a manhole, installation of new storm drains, replacement of sediment control basins, and installation of new surface drainage. The project would ordinarily be within Daly City's coastal development permitting jurisdiction (and appealable to the Commission). However the site was declared an emergency by the Governor and the City has: (1) exempted the repair work from CEQA; and (2) asserted that it is exempt from having to receive a City-issued coastal development permit based on the provisions of PRC Section 30600(e) ("Firestone" legislation). The Coastal Commission nevertheless retains federal consistency authority because the project involves federal (FEMA) funding.

Despite these exemptions, the City incorporated measures into the project to protect coastal zone resources, including erosion controls and revegetation commitments. The City also performed pre-project habitat surveys and no environmentally sensitive habitat was affected by the project, which has now been built. With these measures, 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,

A large, stylized handwritten signature of Peter M. Douglas in black ink.  
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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February 26, 1999

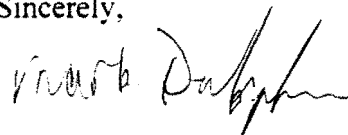
Jill Ogren  
Engineering Dept.  
San Luis Obispo County  
County Government Center, Room 207  
San Luis Obispo, CA 93408

RE: **NE-118-98**, No-Effects Determination, County Road Repairs, Canet Rd./Chorro Creek, Morro Bay area of San Luis Obispo County  
County Road Repair Project No. M349/COE NWP #33

Dear Ms. Ogren:

The Coastal Commission has reviewed the above-referenced no-effects determination for a road repair project. The repairs involve culvert realignment and rock slope protection at the Canet Road crossing over Chorro Creek. The project also includes measures to minimize effects on environmentally sensitive habitat, and the County has coordinated with the U.S. Fish and Wildlife Service, the Corps of Engineers, and the Department of Fish and Game. The Coastal Commission declines to assert federal consistency jurisdiction, due to the fact that: (1) this project is located in an area where it will need a County-issued coastal development permit (c.d.p.) and where such permits are appealable to the Coastal Commission; and (2) if the Commission has concerns over this project it can address them through reviewing an appeal of a County c.d.p. We therefore agree with your "No Effects" letter and your conclusion that no consistency certification needs to be submitted for this project. If you have questions, please contact Mark Delaplaine, federal consistency supervisor, at (415) 904-5289.

Sincerely,

  
(6) PETER M. DOUGLAS  
Executive Director

cc: Santa Cruz 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 (Tiffany Welch)

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March 4, 1999

Owen Thomas  
Supervising Engineer  
Santa Barbara Municipal Airport  
601 Firestone Rd.  
Goleta, CA 93117

RE: **NE-128-98**, No-Effects Determination, Culvert Repairs, Santa Barbara  
Municipal Airport, Goleta, Santa Barbara Co.

Dear Mr. Thomas:

The Coastal Commission has received the above-referenced consistency submittal for 13 culvert repair projects at various locations at the Santa Barbara Municipal Airport. Twelve of the projects are within the City of Santa Barbara's coastal development permitting jurisdiction, and the 13<sup>th</sup> is partly in the City's jurisdiction and partly in the Coastal Commission's original permit jurisdiction. On February 18, 1999, the City approved the projects within its jurisdiction, with conditions providing for wildlife protection (including wetland and water quality protection), as well as protection of archaeological resources and public views. City conditions include revegetation of disturbed areas, avoiding construction within wetlands, and, for certain sensitive sites, avoiding construction within avian nesting and breeding seasons. The City's actions are appealable to the Coastal Commission.

The Coastal Commission staff declines to assert federal consistency jurisdiction, due to the fact that: (1) all but one of the culvert repairs have received a locally issued coastal development permit and are located within an area where such permits are appealable to the Coastal Commission; (2) these repairs, as conditioned by the City, will not significantly affect coastal resources or raise coastal issues of greater than local concern; and (3) the final repair (a portion of outlet #9) will be reviewed by the Commission under its coastal development permit jurisdiction. We therefore concur with the conclusion that the proposed culvert repairs do 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) Mark Delaplaine*  
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  
Allison Cook (681 Buena Vista St.  
Ventura, CA 93001)

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February 26, 1999

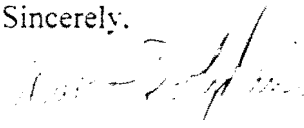
Jill Ogren  
Engineering Dept.  
San Luis Obispo County  
County Government Center, Room 207  
San Luis Obispo, CA 93408

RE: **NE-142-98**, No-Effects Determination. County Road Repairs, North Ocean Ave.,  
Cayucos, San Luis Obispo County  
County Road Repair Project No. M350 COE NWP #3

Dear Ms. Ogren:

The Coastal Commission has reviewed the above-referenced no-effects determination for a road repair project. The repairs involve replacing failed sack rip rap with 85 cu. yds. of one- to two-ton rock slope protection adjacent to an existing bridge where North Ocean Ave. crosses over Cayucos Creek. The project also includes additional rock placement in an eroded area above the culvert outlet pipe to minimize future damage. The project includes measures to minimize effects on environmentally sensitive habitat, and the County has coordinated with the U.S. Fish and Wildlife Service, the Corps of Engineers, and the Department of Fish and Game. The Coastal Commission declines to assert federal consistency jurisdiction, due to the fact that: (1) this project is located in an area where it will need a County-issued coastal development permit (c.d.p.) and where such permits are appealable to the Coastal Commission; and (2) if the Commission has concerns over this project it can address them through reviewing an appeal of a County c.d.p. We therefore agree with your "No Effects" letter and your conclusion that no consistency certification needs to be submitted for this project. If you have questions, please contact Mark Delaplaine, federal consistency supervisor, at (415) 904-5289.

Sincerely,

  
PETER M. DOUGLAS  
Executive Director

cc: Santa Cruz 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 (Tiffany Welch)



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FAX (415) 904-5400



March 12, 1999

R.J. Kramer  
Resource Planning Division  
Assistant Chief of Staff  
Environmental Security  
U.S. Marine Corps  
Marine Corps Base  
Box 555010  
Camp Pendleton, CA 92055-5010

ATTN: Theresa Trost

RE: ND-155-98 Modification to previous negative determination, Sewage Effluent Compliance, Santa Margarita River, Camp Pendleton, San Diego County

Dear Mr. Kramer:

The California Coastal Commission staff has received the above referenced negative determination. The proposed project includes two phases:

- 1) The installation of cased vertical sand/gravel drains in the Lemon Grove ponds to facilitate disposal of sewage effluent. Twenty one drains will be constructed in each of four existing percolation ponds. The project is designed for disposal of 3.6 mgd (million gallons per day) of sewage effluent. Currently, effluent is discharged directly to the Santa Margarita River, after secondary treatment. The drains will extend to a depth of approximately 60 feet (-25 feet mean sea level) which will allow effluent to drain to the groundwater.
- 2) Construction of new advanced water treatment facilities at two existing sewage treatment plants to include secondary treatment plus removal of particulate matter and chlorination, without nutrient removal. Some effluent will be conveyed to irrigate a golf course; the remaining will be conveyed to the Lemon Grove ponds for disposal. Construction includes a 230,000 gallon equalization basin.

The Commission has previously concurred with several negative determinations regarding Camp Pendleton's overall sewage effluent program at the Santa Margarita River. In ND-24-97, the Commission staff authorized the construction, installation, and operation of a system of pumps, pipelines, and associated facilities to convey treated effluent from five existing on-base sewage treatment plants to an existing ocean outfall in the City of Oceanside. The proposal also authorized the construction of percolation ponds in the Lemon Grove area. The Commission staff concurred with the negative determination based on the Marine Corps' need to comply with a cease and desist order issued in 1989 by the San Diego Regional Water Quality Control Board. The City of Oceanside has since denied

authorization to use its ocean outfall. In spite of the infeasibility of the initial project, the Marine Corps proceeded with construction of the pipelines and percolation ponds authorized under ND-24-97. The Marine Corps also submitted, and the Commission staff concurred with, a second negative determination (ND-165-97) for soil borings, groundwater monitoring wells, and temporary percolation basins in the Lemon Grove area to evaluate the feasibility of a sewage effluent disposal system in the area.

The Marine Corps' proposal under the current negative determination (ND-155-98) is to install 21 drains in each of the four percolation ponds in the Lemon Grove area; these drains will convey effluent to the groundwater for disposal. The Marine Corps' analysis for the current proposal notes that the majority of the constituents that have historically been in violation of the NPDES permit have been brought into compliance by the Marine Corps through improved operation, minor plant modifications, and improved monitoring capabilities. The primary concerns remaining include excessive nitrogen, phosphorous, and TDS (total dissolved solids) concentrations.

Although the Commission staff appreciates the efforts that the Marine Corps is taking to address water pollution into the Santa Margarita River, and the difficult position of the Marine Corps due to the City of Oceanside's objection to the original project, the proposed project raises significant concerns for the protection of coastal resources.

#### Project Impacts and Mitigation:

Modeling and pilot testing for the project indicate that the effluent will disperse both west, underneath Camp Del Mar, to the ocean and north/northwest to the Santa Margarita estuary. With the proposed project, the groundwater elevations would rise, and the groundwater/effluent mix would likely surface along the bluffs below the percolation ponds and in various areas of the Santa Margarita estuary, including in salt marsh and salt pan habitat areas. Additional areas will have groundwater levels rising to within 12 inches of the surface, affecting the root zones of plants. Modeling calculations show that after five years of disposal at 3 mgd, groundwater elevations at the edge of the river valley are expected to rise approximately three feet. The increase in groundwater levels will likely affect sensitive coastal resources, by altering salinity levels, vegetation structure, and ultimately the viability of habitat for threatened and endangered species. Further, based on information provided at a recent meeting with the Marine Corps, Coastal Commission, U.S. Fish and Wildlife Service, and the Regional Water Quality Control Board staffs, inundation may affect nesting habitat for snowy plover and least tern.

The Marine Corps is considering various potential mitigation measures for impacts from the project. This need for mitigation measures underscores the potential significant impacts to coastal resources from the proposed project. The Marine Corps has stated that it will monitor water levels in the estuary area by placing wells where modeling indicates that surfacing may occur. The modeling studies note, however, that establishment of baseline chemical concentrations is necessary to determine how water quality is being changed with the project. Such a baseline will need to include seasonal components and the effect of wet versus dry years. A baseline has not been provided to the Commission staff for review.

The Marine Corps has indicated that if impacts to coastal resources will occur, as evidenced through the monitoring wells, the effluent being placed into the Lemon Grove drains will be reduced or stopped. However, monitoring may not be able to predict effects on the estuary adequately: significant changes may begin to occur before monitoring can detect them. Further, the Marine Corps has not identified 1) what criteria will be used to determine impacts to coastal resources, 2) when discharges will be stopped or under what criteria discharges will be reduced and to what extent, and 3) whether and to what extent discharges will resume. Simply reducing or stopping discharges may not prevent inundation of areas due to a certain amount of effluent already being in the drains and flowing towards the estuary.

The Marine Corps has also raised the possibility of other mitigation measures to protect coastal resources if the proposed project proceeds. However, Commission staff has not received any analysis of those alternatives. From discussions with Marine Corps staff, it appears that those mitigation measures may have significant impacts of their own that will need to be addressed. These mitigation measures, if necessary to mitigate impacts from the proposed project, are an essential part of the project and cannot be developed separately or after the project is implemented.

Overall feasibility of project to meet objectives:

Further, Commission staff questions the overall effectiveness of the project in achieving 1) the Marine Corps' objective of complying with the cease and desist order, and 2) an overall improvement to the resources and water quality. Modeling of the project shows overall concentrations of nitrogen in the estuary increasing over five years of discharge, although the discharge of nitrogen directly to the Santa Margarita River will be reduced. Further, results of the modeling for the project state that while existing phosphorous concentrations in the groundwater range from .05 to 4 mg/l, after five years of disposal, the phosphorous concentration will range from 4 to 16 mg/l. Current surface water samples record phosphorous levels at 0.9-4.8 mg/l; models estimate that with the proposed project, levels in the river will be 4-5 mg/l. It is unclear to the Commission staff how the overall increase in nutrient concentrations in a sensitive region can be considered an improvement to the health of the overall system. The FSEIS states that the high concentrations of phosphorous and nitrogen resulting from the project could result in a significant impact to the estuary. Finally, the project will not bring the levels of TDS into compliance with the standards set by the Regional Water Quality Control Board.

If the Marine Corps commits to ensuring that effects on coastal resources will be prevented by reducing or stopping discharge into the Lemon Grove ponds as a means of preventing changes in groundwater levels that could affect the estuary, the modeling results indicate that discharging effluent into the ponds *will* have to be reduced or stopped. In this event, discharge directly to the river will resume, and the Marine Corps will again not be in compliance with the existing cease and desist order. Although the Marine Corps has not specifically identified the extent, if any, that the vertical drains can be used before groundwater changes in the estuary would affect the resource, the modeling report states that the "results of the saturated groundwater and solute transport modeling indicated that up to approximately 0.6 mgd of effluent could be disposed of without additional surfacing occurring". However, the report also notes that the groundwater will still surface at the river bluffs west of I-5 with this level of discharge. Disposal of 0.6 mgd of effluent also does not necessarily assure that groundwater levels will not rise to levels which would affect the root zone of plants, and could still alter vegetation species. Even *if* the 0.6 mgd of effluent could be discharged without negative impacts to coastal resources, the remaining amount of effluent to be discharged is a significant portion of the total problem. If the remaining effluent is discharged into the river, the Marine Corps will still not comply with the cease and desist order.

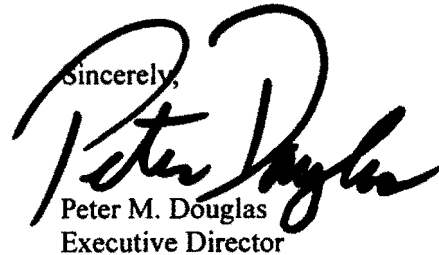
Further, the Marine Corps has indicated to Commission staff that they are committed to undertaking tertiary treatment and have begun the process of appropriating funds. The Marine Corps has also stated that the proposed project will be used as a temporary measure until a tertiary system is in place – an estimated five to seven years. While Commission staff recognizes the need to address the existing water pollution into the Santa Margarita River, given the potentially significant impacts of the proposed project, the Commission staff has significant concerns about effects on the estuary, and is not convinced that the proposed project is the least damaging alternative overall to the resources. Further, while the project may be temporary, impacts to a sensitive and scarce coastal resource may not be temporary.

Compliance with ND-24-97:

Finally, the Commission staff would like to remind the Marine Corps that it has not complied with the commitments made during the Commission staff's review of ND-24-97. The Commission staff's concurrence with the negative determination was dependent on specific mitigation measures, including mitigation for the loss of 27.5 acres of occupied coastal sage scrub. A total of 55 acres of coastal sage scrub was to be restored for mitigation. The Marine Corps' revegetation plan commits to planting in the fall of 1997 with maintenance, monitoring, and any necessary remedial measures to be undertaken for the following five years. To date, this mitigation effort has not been started. We request your attention to this matter and a revised schedule explaining how this mitigation commitment will be met.

In conclusion, we believe the proposed project raises potential significant impacts to coastal resources, including impacts to coastal wetlands and habitat of snowy plover and least tern. We therefore *object* to your negative determination made pursuant to Section 15 CFR 930.35(d) of the NOAA implementing regulations. A consistency determination will be needed if the Marine Corps plans to proceed with its proposal. The consistency determination will need to include an analysis showing, among other things, how these resources will be protected and why the proposal represents the least environmentally damaging feasible alternative. Please contact Tania Pollak at (415) 904-5270 if you have any questions.

Sincerely,



Peter M. Douglas  
Executive Director

cc: San Diego Area Office  
NOAA  
Assistant Counsel for Ocean Services  
OCRM  
California Department of Water Resources  
Governors Washington D.C. Office  
Major R.E. Kinder, U.S. Marine Corps  
Doreen Stadlander, U.S. Fish and Wildlife Service  
Mark Bartholomew, U.S. EPA, Region IX  
Robert Morris, California Regional Water Quality Control Board, San Diego  
Greig Peters, California Regional Water Quality Control Board, San Diego

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March 18, 1999

H.A. Bouika  
Naval Construction Battalion Center  
1000 23RD Avenue  
Port Hueneme, CA 93043-4301

Attn: Beverly Damron

RE: **ND-009-99**, Negative Determination for installation of an intake structure to an existing seawater desalination plant, Naval Construction Battalion Center, Port Hueneme

Dear Mr. Bouika:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The Navy proposes to install an intake structure to an existing seawater desalination plant Naval Construction Battalion Center, Port Hueneme. The intake structure consists of 12 piles to be placed in the water 10-20 feet apart. The piles will be concrete filled fiberglass. The intake structure contains two hoses attached to the suction side of the pumps inside the Seawater Desalination Test Facility pump house. The hoses will extend towards the water approximately 45 feet from the edge of the existing riprap rocks at the edge of the harbor. Finally, a walkway, five feet wide, will be placed on the pilings in order to provide access to the intake structure.

The proposed project is consistent with the existing port and military uses of the area. The project does not require any dredging and will not affect water quality of the area. Although the proposed pilings will result in the loss of soft-bottom marine habitat, the vertical surfaces of the pilings will support for marine organisms, and thus, will replace the lost habitat. The project area does not provide habitat for any environmentally sensitive species. Finally, since the proposed project is located on a naval base where public access to the shoreline is restricted for military security reasons, it will not affect coastal access or recreational resources.

In conclusion, the Coastal Commission staff agrees that the proposed project will not adversely affect coastal zone resources. We, therefore, 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 dark ink, appearing to read "Mark Douglas".  
(607) 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

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March 12, 1999

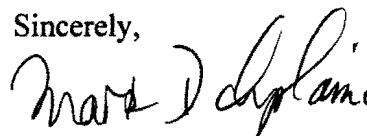
Sam Dennis  
Code 7031  
Naval Facilities Engineering Command  
Engineering Field Activity West  
900 Commodore Drive  
San Bruno, CA 94066-5006

RE: **ND-11-99 Negative Determination**, U.S. Marine Corps, Urban Warrior  
Advanced Warfighting Experiment, Monterey

On March 11, 1999, by a unanimous vote, the California Coastal Commission objected to the above-referenced negative determination as submitted. The Commission determined that the activity would affect the coastal zone and that a consistency determination was therefore necessary for the project. On March 12, 1999, the Marine Corps submitted modifications to the project to address the concerns raised by the Commission (which included marine resource and other sensitive habitat impacts). The modifications include abandoning the use of Landing Craft Air Cushion (LCAC) vessels crossing Monterey Bay waters, as well as commitments that all helicopters will maintain a minimum altitude of 1500 feet above Monterey Bay.

With the modifications to the project, the project's effects on the coastal zone have been eliminated, and we therefore **concur** with your modified 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 any questions.

Sincerely,

  
(for) PETER M. DOUGLAS  
Executive Director

cc: Santa Cruz Area Office  
NOAA Assistant Administrator  
OCRM  
Department of Water Resources  
Governor's Washington D.C. Office  
James Raives

## CALIFORNIA COASTAL COMMISSION

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March 3, 1999

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

Attn: Louis Rivero

RE: **ND-012-99**, Negative Determination to replace two antennae, Coast Guard  
Master Station Pacific Transmitter, near Point Reyes National Seashore.

Dear Mr. Stalters:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The proposed project includes replacing two antennae at the Coast Guard Master Station Pacific Transmitter, four miles northwest of Bolinas, Marin County, adjacent to Point Reyes National Seashore. Specifically, the Coast Guard proposes to remove an existing 71-foot inverted cone broadcast antenna and an existing 32-foot conical monopole antenna and replace them with a 102-foot and a 62-foot vertical omnidirectional broadband antennae. The new antennae will improve the electronic capabilities and the ability to withstand higher winds and seismic forces.

The project site consists of approximately 50 acres of grasslands and contains approximately 14 antennae ranging in height from 30 to 133 feet. Although the proposed project is located in the scenic Point Reyes area, it will be visually consistent with the existing uses of the site. Additionally, the proposed project site does not contain any environmentally sensitive habitat areas or archaeological resources. Finally, because the Coast Guard already restricts public use of the facility in order to protect public safety, the project will not affect public access or recreational 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 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 large, stylized handwritten signature of Peter M. Douglas in black ink.

PETER M. DOUGLAS  
Executive Director



March 3, 1999

ND-12-99

Page 2

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

PMD/JRR

## CALIFORNIA COASTAL COMMISSION

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



March 19, 1999

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

RE: **NE-013-99**, No-Effects Determination for the repair of erosion damage to  
Turri Road, Post Mile 2.1, near Baywood Park, San Luis Obispo County.

Dear Ms. Ogren:

The Coastal Commission has received and reviewed the above-referenced consistency submittal. The proposed project includes repair of Turri Road at mile post 2.1, San Luis Obispo County. Specifically, the project includes excavating the damaged asphalt-concrete and slope, rebuilding the slope, restoring the drainage facilities, installing rock slope protection, and replacing the asphalt-concrete.

The project includes impacts to willow habitat, which is located adjacent to the road and is isolated from the nearby larger riparian habitat system. The water source for these plants is probably from road drainage or an underground seep. Additionally, the willows may support habitat for the southwest willow flycatcher, a federally listed endangered species. However, the County's biologist did not identify any flycatchers in the area affected by this project. The project will affect approximately 0.03 acres of riparian habitat. In its no-effects determination, the County states that it will mitigate for the project's impacts by replacing lost habitat and controlling sedimentation. With these mitigation measures and in consideration of the fact that the project is the repair and maintenance of an existing road, the Commission staff believes that the project will not significantly affect riparian resources.

The Coastal Commission staff concludes that the project will not significantly affect coastal resources. We, therefore, **agree** with your 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,

A handwritten signature in black ink, appearing to read "Mark Douglas", written over a horizontal line.

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

## CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000

SAN FRANCISCO, CA 94105-2219

VOICE AND TDD (415) 904-5200



February 26, 1999

Gordon Woo  
Pacific Gas & Electric  
Mail Code N10A  
P.O. Box 770000  
San Francisco, CA 94117

RE: **NE-014-99**, No-Effects Determination for the placement of an antenna on the Coast Guard tower at Point Sur Light Station, Monterey County.

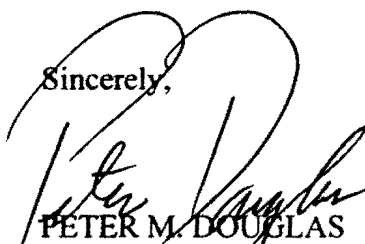
Dear Mr. Woo:

The Coastal Commission has received and reviewed the above-referenced consistency submittal. The proposed project includes placement of a 22-foot omni-directional dipole antenna on the Coast Guard's newly constructed communications tower at the Point Sur Light Station, Monterey County.

The Coast Guard recently reconstructed its communication tower at Point Sur, after it received Commission approval, CD-100-98. The primary purpose of that tower is to provide communications support for Coast Guard activities. In reviewing that tower, the Commission raised concerns about the potential visual impacts from the proliferation of private antennae on the tower. PG&E's antenna is the first addition proposed to the Point Sur tower since the Commission's concurrence with CD-100-98. Since the antenna was previously installed on the old antenna, PG&E is not introducing new equipment into the area. The antenna is a stick type dipole antenna and will be visually consistent with the tower. Finally, although the 22-foot antenna will be one foot taller than the tower, it will be shorter than the Coast Guard's antenna, which extends 20 feet above the tower. Therefore, the proposed antenna will not have significant visual impacts.

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: Central Coast Area Office

ND-14-99  
February 26, 1999  
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OCRM  
NOAA Assistant Administrator  
Assistant General Counsel for Ocean Services  
Department of Water Resources  
Governor's Washington D.C. Office  
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## CALIFORNIA COASTAL COMMISSION

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



March 2, 1999

Ryan Piner  
Caltrans  
50 Higuera Street  
San Luis Obispo, CA 93401-3111

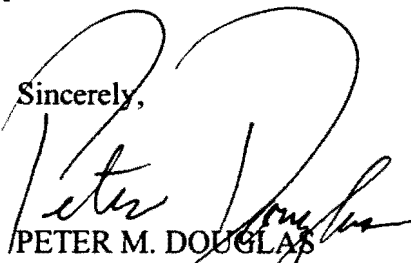
RE: **NE-015-99**, no-effects determination to extend two box culverts at post miles 72.49 and 72.60 under Highway 1 near Ragged Point, San Luis Obispo County

Dear Mr. Piner:

The Coastal Commission has received and reviewed the above-referenced consistency submittal. The proposed project includes extension of two box culverts at post miles 72.49 and 72.60 on Highway 1 near Ragged Point in northern San Luis Obispo County. The reinforced concrete box culverts will be extended 3.1 meters to limit water sheeting over the highway in periods of high flow. All work will be completed from the road shoulder and will not require access into the drainages. Any alterations to the channels would occur immediately adjacent to the inlet or outlet of the culverts. All work will occur during the dry season to minimize erosion impacts into the drainages. Finally, there are no sensitive species located in the areas of potential effect from the project.

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: 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

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## CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
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March 2, 1999

Don L. Neubacher  
National Park Service  
Point Reyes National Seashore  
Point Reyes, CA 94956

Attn: Ann Nelson

RE: ND-017-99, Negative Determination for improvements the American Youth  
Hostel, Point Reyes National Seashore.

Dear Mr. Neubacher:

The Coastal Commission staff has received and reviewed the environmental assessment for the above-referenced project. Although the environmental assessment does not include a negative determination pursuant to the federal regulations implementing the Coastal Zone Management Act (15 CFR § 923035(d)), it included sufficient information for the Commission staff to evaluate the coastal zone effects from the proposed project. Rather than comment on the environmental assessment and request a negative determination from the Park Service, the Commission staff elected to treat the environmental assessment as a negative determination.

The National Park Service proposes to improve the existing youth hostel by constructing one 2,800 square-foot single-story unit providing both staff housing and visitor-serving uses, extend and upgrade the existing septic system, install new water storage tank, stabilize a historic shed, and construct a parking area for nine cars. The youth hostel is located at the former Laguna Ranch off Limantour Road.

The proposed project is not located within the coastal zone and does not affect coastal zone resources. The proposed project will remove existing native and exotic plants. The Park Service proposes to monitor these disturbed areas and, if necessary, remove exotic vegetation and replant native vegetation. Additionally, the Park Service proposes appropriate measures to minimize erosion and other non-point source pollution into the stream. The project site does not provide habitat for any environmentally sensitive

March 2, 1999

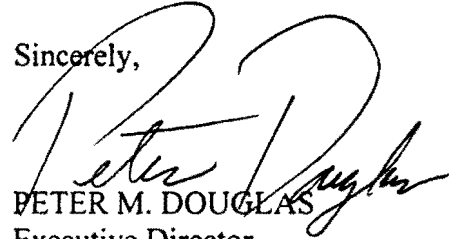
ND-17-99

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species, and therefore, will not affect that resource. Finally, the project site is not visible from the coastal zone, and thus 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 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,



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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## CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000  
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March 15, 1999

Robert E. Koplin  
Los Angeles District, Corps of Engineers  
Planning Division  
P.O. Box 532711  
Los Angeles, CA 90053-2325

Attn: Hayle Lovan

RE: **ND-021-99**, Negative Determination to extend the completion date for the previously approved maintenance dredging of the Los Angeles River Estuary, CD-94-98.

Dear Mr. Koplin:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. As described above, the negative determination extends the completion date of the previously approved project from March 31, 1999 to May 31, 1999. The originally approved project included maintenance dredging with ocean disposal (LA-2) and placement of contaminated material in Slip 2, Pier E, Port of Long Beach.

The Corps originally proposed to complete the dredging by March 31, 1999, to avoid impacts to the California least tern, a federally listed endangered species. Despite the time extension into the tern-nesting season (beginning April 1, 1999), the proposed project will not have significant impacts to that resource. The Los Angeles River estuary is not a primary foraging area for the tern. Additionally, the Corps proposes to monitor turbidity and, if necessary, implement mitigation measures to minimize turbidity impacts. Finally, U. S. Fish and Wildlife Service determined that the project will not significantly affect the tern. Therefore, the proposed project will not significantly 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 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 black ink, appearing to read "Mark Douglas", written over the typed name.

(for) PETER M. DOUGLAS  
Executive Director

ND-021-99  
March 15, 1999  
Page 2

cc: South 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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