

CALIFORNIA COASTAL COMMISSION

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

**RECORD PACKET COPY****F 7**

DATE: October 26, 2000

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-076-00
APPLICANT:	Corps of Engineers
LOCATION:	Ventura Harbor, Ventura
PROJECT:	Re-building 150 feet of South Beach Groin
ACTION:	Concur
ACTION DATE:	09/29/2000

PROJECT #:	ND-082-00
APPLICANT:	Federal Aviation Administration
LOCATION:	Northwest of Town of Klamath, Del Norte Co.
PROJECT:	Transfer of Land to GSA
ACTION:	Concur
ACTION DATE:	09/29/2000

PROJECT #:	NE-090-00
APPLICANT:	Caltrans
LOCATION:	SR 78/I-5 Interchange, Oceanside, San Diego Co.
PROJECT:	Construction of an additional lane
ACTION:	No effect
ACTION DATE:	09/25/2000

PROJECT #:	ND-092-00
APPLICANT:	Navy
LOCATION:	Naval Weapons Station, Seal Beach, Orange Co.
PROJECT:	Anaheim Bay Beach Clean Up
ACTION:	Concur
ACTION DATE:	10/19/2000

PROJECT #:	ND-100-00
APPLICANT:	National Park Service
LOCATION:	Cliff House, San Francisco
PROJECT:	Redesign of Cliff House
ACTION:	Concur
ACTION DATE:	10/18/2000

PROJECT #:	ND-105-00
APPLICANT:	Corps of Engineers
LOCATION:	San Francisco Deep Ocean Disposal Site, S.F. Co.
PROJECT:	Disposal of Dredge Material from the Port of Richmond
ACTION:	Concur
ACTION DATE:	10/17/2000

PROJECT #:	ND-106-00
APPLICANT:	Air Force
LOCATION:	Vandenberg Air Force Base, Santa Barbara Co.
PROJECT:	Closure of Santa Ynez River Mouth to public use
ACTION:	Withdrawn
ACTION DATE:	10/03/2000

PROJECT #:	NE-109-00
APPLICANT:	Verizon Wireless
LOCATION:	Camp Pendelton Marine Corps Base, San Diego Co.
PROJECT:	Temporary Communications Facility
ACTION:	No effect
ACTION DATE:	10/17/2000

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September 29, 2000

Robert E. Koplin, Chief
Planning Division
U.S. Army Corps of Engineers
Los Angeles District
Attn: Lisa Louie
P.O. Box 532711
Los Angeles, CA 90053-2325

RE: **ND-076-00** Negative Determination, Army Corps, Repairs to previously-concurred-with consistency determination for Ventura Groin (South Beach Groin), City of San Buenaventura, Ventura Co.

Dear Mr. Koplin:

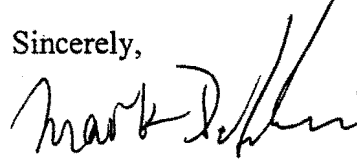
On September 14, 1989, the Coastal Commission concurred with a consistency determination for the construction of a shoreline protection project including the South Beach Groin in the City of San Buenaventura (CD-17-89). Since that time, the Commission has concurred with several modification and repair projects for the breakwater/groin/jetty system originally authorized. In this negative determination the Army Corps seeks authorization for replacing about half of the rocks (7,000-15,000 tons of rocks) at the South Beach groin, which has been damaged by wave action. The rocks would be brought in by truck and placed using a crane and bulldozer. The Corps would use adjacent parking lots for its staging area (200 ft. by 200 ft.). An existing berm (that contains non-native iceplant) would be graded to provide access for the trucks; this would be restored to original conditions upon completion. A 300 ft. length of beach (150 ft. on each side of the groin) would be taped off prohibiting access; however adequate access would be available on either side of the site.

The repairs are scheduled to occur over a 30-60 day time period, between May and the end of October, 2002. The project will avoid effects on snowy plovers and least terns, which are found in the general project area (but not the specific area affected by the project). The Corps has consulted with resource agencies (including the U.S. Fish and Wildlife Service and National Marine Fisheries Service); these agencies have concluded that the project's impacts will be minimal and that the project will not adversely affect environmentally sensitive habitat. Access impacts will be minimal.

The project constitutes replacement-in-kind of an existing structure. In addition, 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." As discussed in the above paragraph, we have concurred with similar consistency and negative determinations for the original construction of and various repair and modifications to the original project (ND-83-97, ND-21-94, ND-21-94, ND-35-92, CD-168-97, CD-104-96, CD-17-89). We therefore **concur** with your negative determination for the updated 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: Ventura Area Office
California Department of Water Resources
Governors Washington D.C. Office

CALIFORNIA COASTAL COMMISSION

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September 29, 2000

Keith Lusk
Environmental Planning
Federal Aviation Administration
P. O. Box 92007
Worldway Postal Center
Los Angeles, CA 90009

RE: **ND-82-00** Negative Determination, Federal Aviation Administration, Land Transfer to
Department of General Services, near Klamath, Del Norte Co.

Dear Mr. Lusk:

The Coastal Commission staff has reviewed the above-referenced negative determination for the transfer of land and facilities from the Federal Aviation Administration (FAA) to the Department of General Services. The project site is a historic FAA radar site that became obsolete in August 1997. The site is surrounded by Redwood National Park, and the Park Service has expressed interest in ultimately acquiring the site as an addition to the park.

The project site contains several structures used for maintenance and storage, as well as a 100 ft, high, 6-story tower building with a radome on top. The radome is visible from Highway 101. The Park Service has requested that the FAA commit the funding to assure the radome can be removed, and the FAA has agreed to this request. The FAA has also committed to clean up asbestos and lead that are known to occur in the existing buildings. The site does not contain any environmentally sensitive habitat.

In conclusion, the Coastal Commission staff agrees with your determination that the proposed activity 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 Mark Delaplaine of the Coastal Commission staff at (415) 904-5289.

Sincerely,

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

(For) PETER M. DOUGLAS
Executive Director

cc: North Coast Area Office
Department of Water Resources
Governor's Washington D.C. Office
Redwood National Park

CALIFORNIA COASTAL COMMISSION

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September 25, 2000

Bruce L. April
Department of Transportation
District 11
P.O. Box 85406
San Diego, CA 92186-5406

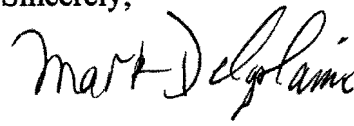
Re: **NE-90-00** No Effects Determination, Caltrans, I-5/SR-78 connector lane additions,
Oceanside, San Diego Co.

Dear Mr. April:

The Coastal Commission has received your "No Effects" Determination for the construction of an additional lane on the connector between northbound I-5 and eastbound State Route 78, and an auxiliary lane on eastbound SR-78 between I-5 and Jefferson St., in the City of Oceanside. The project requires (and has received) a coastal development permit from the City of Oceanside, within an area where such permits are appealable to the Coastal Commission. The project is adjacent to Buena Vista Lagoon; however no construction is proposed within any wetland areas. Visual impacts will be minimized through landscaping and replacement of trees removed (at a 5:1 ratio). Runoff impacts will be addressed by incorporation of Best Management Practices, including temporary erosion controls during construction (inlet protection, gravel bags, silt fences, and fiber rolls), as well as long term operation controls (use of a vegetated drainage swale to buffer the lagoon from runoff). City permit conditions require measures to assure the effectiveness of the landscaping measures, including tree planting, long-term maintenance provisions, and review of detailed grading plans. No appeals of the City's permit have been filed and the appeal period has run.

In conclusion, the Coastal Commission staff agrees that the proposed project will not adversely affect coastal zone resources. We, therefore, **concur** with your "no effects" determination and 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 Mark Delaplaine of the Coastal Commission staff at (415) 904-5289.

Sincerely,


(for) PETER DOUGLAS
Executive Director

cc: San Diego Area Office
California Dept. of Water Resources
Governors Washington, D.C. Office

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October 19, 2000

David Baillie
Environmental Director
Department of the Navy
Naval Weapons Station, Seal Beach
800 Seal Beach Blvd.
Seal Beach, CA 90740-5000

RE: **ND-092-00** Negative Determination, Navy, Debris Removal, Naval Weapons Station,
Seal Beach, Orange Co.

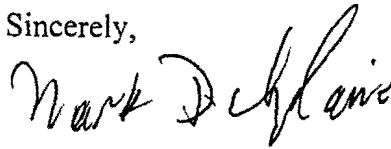
Dear Mr. Baillie:

The Coastal Commission staff has received the above-referenced negative determination for the Anaheim Bay Clean-up Project at the Naval Weapons Station in Seal Beach. The project would be located on federal land and would consist of removal of debris (primarily concrete) spread over a 0.2 acre area located approximately 450 ft. southwest of the Pacific Coast Highway bridge crossing over Anaheim Bay. The project site is a pre-existing bridge that was abandoned, but where demolition debris remains. Work will be performed using a front-end loader and backhoe to pick up and remove the debris from the channel bank. The project has been designed to minimize disturbance to sensitive areas. Barricades will be installed to assure that heavy vehicles do not enter the bay. After removal, both banks of Anaheim Bay will be revegetated with eelgrass in subtidal areas and wetland vegetation in intertidal areas. Best Management Practices will be incorporated to protect water quality and environmentally sensitive habitat areas. The project has been timed to avoid affecting least terns.

With these measures, we agree that the activity will not adversely affect any wetlands, environmentally sensitive habitat, marine resources, or public access and recreation. The project will improve coastal views, and with the revegetation efforts, will also improve wetland habitat. While this project would ideally have been reviewed as a coastal development permit application submitted by the City of Seal Beach, given the City's reluctance to submit a permit application, in the interest of expediting a project that is clearly in the public interest and on federal land, and given the Navy's commitment to oversee the project and assure the wetland and water quality protection measures and revegetation efforts are adhered to, we **agree** with your conclusion that the activity would not adversely affect any coastal resources, and we hereby

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 any questions.

Sincerely,



(for) PETER M. DOUGLAS
Executive Director

cc: Long Beach Area Office
California Department of Water Resources
Governors Washington D.C. Office
City of Seal Beach
Stephen Badum
Director of Public Works
City of Seal Beach
211 Eighth St.
Seal Beach, CA 90740

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October 18, 2000

Carrie Strahan
National Park Service
Golden Gate National Recreation Area
Fort Mason
San Francisco, CA 94123

RE: **ND-100-00** Negative Determination, National Park Service, Cliff House Redesign, Sutro Historic District, San Francisco

Dear Ms. Strahan:

The Coastal Commission staff has received the above-referenced negative determination for the redesign of the Cliff House in San Francisco. On June 7, 1994, the Commission concurred with a consistency determination submitted by the Park Service for a Comprehensive Design Plan for the Sutro Historic District, located just north of Ocean Beach in San Francisco (CD-28-94). Through that review the Commission determined the Park Service's management plan to be consistent with the California Coastal Management Program (specifically, the wetland, view protection, public access and recreation, and archaeological policies of the Coastal Act). The Commission identified further activities that the Park Service would need to submit for further federal consistency review, and the Commission informed the Park Service that if the activity raised only minor concerns, negative determinations could be submitted. The issue raised by the Commission as having greatest concern (and which is not raised by the proposed project) was wetland impacts.

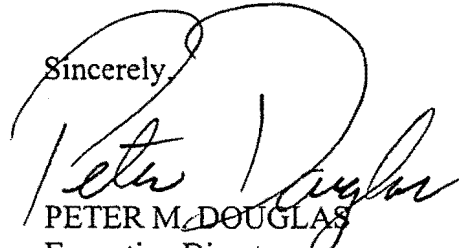
Under the Design Plan, the Cliff House was to be "...maintained and rehabilitated to accommodate 'contemporary use' while preserving significant features of the original structure." The current proposal is consistent with this stated intent and has been designed to maximize the spectacular ocean view opportunities afforded by the site. The square footage will be reduced, although the amount of restaurant seating will remain the same. The 3-story Cliff House (originally built in 1909) will be renovated, including removing 10,000 sq. ft. of addition space, renovating the original building, and adding a new 9,000 sq. ft. north wing. As the Park Service indicates: "The proposal ... enhances the site's natural and cultural attributes by adding public viewing platforms, restoring portions of the original structure, and removing unsafe access points." The project will not affect the surrounding Sutro Baths (where the existing wetlands are located) and Sutro Heights Park areas.

The Park Service has coordinated with community groups and held three public meetings to seek input into the design of this project. The Commission staff contacted several of these community groups, all of which expressed support for the current design.

Finally, in one departure from the original plan, the Camera Obscura will not be integrated into the Cliff House as originally planned, but will remain as currently located. It is now eligible for inclusion in the National Register of Historic Places, and it is the only Camera Obscura of its kind in the U.S. that remains in its original location.

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 agree with the Park Service that "... this project does not raise any new coastal issues that were not covered through the previous review undertaken [of CD-28-94]." 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,



PETER M. DOUGLAS
Executive Director

cc: North Central Coast Area Office
California Department of Water Resources
Governors Washington D.C. Office

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October 17, 2000

Peter E. LaCivita, Chief
Environmental Section
U.S. Army Corps of Engineers
San Francisco District
333 Market St.
San Francisco, CA 94105-2197

Subject: **ND-105-00** Negative Determination, Corps of Engineers, Port of Richmond Inner Harbor Maintenance Dredging, with Disposal at SF-DODS, offshore of San Francisco

Dear Mr. LaCivita:

The Coastal Commission staff has received the above-referenced negative determination for ocean disposal of 175,000 cubic yards of material to be dredged in the Port of Richmond. The disposal site is the EPA-approved deep ocean disposal site (SF-DODS), located approximately 50 miles west of San Francisco. The proposed dredging and disposal project is anticipated to begin in October 2000 and last approximately 60 days. As you are aware, most of that project entails activities within San Francisco Bay that do not involve Coastal Commission jurisdiction, but rather are within the jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC). The Corps has tested the material, and the test results have been reviewed by the interagency Dredge Materials Management Office (DMMO) set up to review San Francisco Bay dredging activities. The test results show the material proposed for disposal at SF-DODS is suitable for open ocean disposal.

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 agree with the Corps that this project is similar to several Army Corps Consistency and Negative Determinations we have concurred with. 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 dark ink, appearing to read "Mark Delaplaine".

(For) PETER M. DOUGLAS
Executive Director

cc: North Central Coast Area Office
EPA
BCDC
Governor's Washington, D.C. Office
RWQCB, S.F. Bay Region

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October 17, 2000

Ted Marioncelli
JM Consulting Group, Inc.
7855 Hollister Ave., Ste. 200
Goleta, CA 93117-3018

Re: **NE-109-00** No Effects Determination, Verizon Wireless, Temporary Communications Facility, Las Pulgas area, Camp Pendleton Marine Corps Base, San Diego Co.

Dear Mr. Marioncelli:

The Coastal Commission has received your "No Effects" Determination for the temporary placement of a trailer-mounted communications facility ("cell-on-wheels") in the Las Pulgas area, north of Las Pulgas canyon and Stuart Mesa Rd., just inland of the coastal zone boundary on Camp Pendleton. The wireless antenna facility would be placed within an existing paved area. Maximum antenna height would be 25 ft. The project would be temporary, pending Commission review of a permanent facility (submitted as CDP No. 6-99-127).

We **agree** with your "No Effects" letter, your statement that this activity would not adversely affect any coastal zone resources, and your conclusion that no consistency certification needs to be submitted for this project. If you have questions about this letter, please contact Mark Delaplaine, federal consistency supervisor, at (415) 904-5289.

Sincerely,

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

(for) PETER DOUGLAS
Executive Director

cc: San Diego Area Office
California Dept. of Water Resources
Governors Washington, D.C. Office
Larry Rannals, Camp Pendleton Marine Corps Base
Box 555010, Camp Pendleton, CA 92055-5010