

CALIFORNIA COASTAL COMMISSION

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

**RECORD PACKET COPY****W 6**

DATE: July 20, 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-035-00
APPLICANT:	Bureau of Indian Affairs
LOCATION:	Smith River Rancheria, Del Norte Co.
PROJECT:	Conveyance of fee land into trust
ACTION:	Concur
ACTION DATE:	06/26/2000

PROJECT #:	ND-046-00
APPLICANT:	National Park Service
LOCATION:	Cabrillo National Monument, San Diego
PROJECT:	Habitat restoration
ACTION:	Concur
ACTION DATE:	06/19/2000

PROJECT #:	ND-057-00
APPLICANT:	National Weather Service
LOCATION:	Solano Beach Life Guard Station, San Diego Co.
PROJECT:	Replacement of weather station
ACTION:	Concur
ACTION DATE:	06/27/2000

PROJECT #:	ND-066-00
APPLICANT:	Navy
LOCATION:	Space and Naval Warfare Systems Center, San Diego
PROJECT:	Construction of Marine Mammal Pens
ACTION:	Concur
ACTION DATE:	07/06/2000

PROJECT #:	ND-067-00
APPLICANT:	Army
LOCATION:	Camp Pendelton Marine Corps Base, San Diego Co.
PROJECT:	Temporary Construction of Elevated Causeway Pier
ACTION:	Concur
ACTION DATE:	06/27/2000

PROJECT #:	ND-068-00
APPLICANT:	National Park Service
LOCATION:	Redwood National Park, Humboldt Co.
PROJECT:	Implementation of access restrictions
ACTION:	Concur
ACTION DATE:	06/27/2000

PROJECT #:	NE-069-00
APPLICANT:	Santa Barbara County Flood Control
LOCATION:	Santa Barbara County
PROJECT:	Annual Routine Maintenance Plan
ACTION:	No Effect
ACTION DATE:	07/06/2000

G: Land Use/Fed Cons/Negative Determinations/ND Rept for Aug 00 mtg

CALIFORNIA COASTAL COMMISSION

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June 26, 2000

Dr. Virgil Akins, Superintendent
Bureau of Indian Affairs
Northern California Agency
1900 Churn Creek, Suite 300
Redding CA 96002-0292

Re: **ND-035-00** Negative Determination, Bureau of Indian Affairs (BIA)
Placement of five parcels into trust status, Smith River Rancheria, Del Norte Co.

Dear Mr. Akins:

The Coastal Commission staff has received the above-referenced Negative Determination for the conveyance of five parcels of land in the Smith River Rancheria into trust status. Assessor's Parcel numbers for the parcels are 102-070-23, 102-070-24, 102-041-10, 102-041-11, and 102-141-06. The parcels are located adjacent to Highway 101 within the Smith River Rancheria. The parcels are currently vacant. The BIA states that the parcels will be used for additional overflow parking for tribal members and tribal employees, and that the Rancheria does not intend to develop the parcels. Existing development the parking would support include an existing casino on the east side of Highway 101 (currently being expanded) and an existing health services clinic on the west side of Highway 101.

Please note that in concurring with this negative determination we are not commenting on any plans for future development on these parcels, and we wish to put the BIA and the Rancheria on notice that any future development or changed use of the property should be coordinated with the Coastal Commission for potential federal consistency implications.

In conclusion, we agree with your assessment that this activity will not adversely affect any coastal zone resources. We therefore **concur** with your 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 black ink, appearing to read "Peter Douglas".

PETER M. DOUGLAS
Executive Director

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



CALIFORNIA COASTAL COMMISSION

145 FREMONT STREET, SUITE 2000
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June 19, 2000

Terry DiMattio
National Park Service
Cabrillo National Monument
P.O. Box 6670
San Diego, CA 92106

RE: **ND-046-00**, Negative Determination for the restoration of the area around the Old Point Loma Lighthouse, Cabrillo National Monument, City of San Diego.

Dear Mr. DiMattio:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The proposed project includes re-creation of historic structures and native habitat of the area around the Old Point Loma Lighthouse, Cabrillo National Monument, City of San Diego. Specifically, the project contains the following elements:

- 1. Remove a majority of the asphalt loop road/parking area around the lighthouse. The outer rock wall would remain.*
- 2. Remove the asphalt walks, rock stairs, picket fence and vegetation except for the Torrey pines. The interior rock wall would remain in place except for that portion at the south end, which could not be covered with sufficient soil to support native vegetation, or that would interfere with the construction of the interpretive shelter or outlining of the location of the barn and oil shed.*
- 3. Relocate the two historical plaques. National Register of Historic Places and California Registered Historic Landmark No. 51, to the existing lighthouse wayside exhibit area at the end of the walk from the visitor center.*
- 4. Re-establish the historic ground contours to approximate those in the 1880s and replant with native vegetation.*
- 5. Outline the location of the 1880s barn and oil shed with sandstone blocks, or rocks from the interior rock wall, and fill the areas within the outline with decomposed granite or other suitable material.*
- 6. Construct the concrete rain catchment basin in front of the lighthouse similar to that which existed in the 1880s.*

7. *Re-install the wooden flagpole and picket fence in their historic locations.*
8. *Construct a 900 square foot interpretive shelter southeast of the lighthouse on the footprint of the assistant keepers quarters. The shelter would be similar in scale and appearance and incorporate similar materials as those found in the assistant keepers quarters. The shape, roofline, windows, doors and siding would replicate those of the assistant keepers quarters.*
9. *Construct a 10 foot wide, tan-colored concrete walk with red brick edge inside the outer rock wall, and a 12 foot wide asphalt road on the west side of the lighthouse to provide access to the US Navy antennae field, whale overlook and two handicap parking spaces that will be built southeast of the lighthouse.*
10. *Construct a universally accessible, single commode, unisex restroom on the back of the interpretive shelter.*
11. *Construct walks of decomposed granite, or other material suitable, such as Road Oyl, for use by visitors in wheelchairs from the tan-colored concrete promenade walk to the lighthouse.*

The Commission previously reviewed the General Management Plan for the Cabrillo National Monument.¹ In that consistency determination, the Commission reviewed conceptual plans for this restoration effort and found that, at the general planning phase, this project was consistent with the California Coastal Management Program. However, the Commission also identified this activity as one that would require further coordination before construction could go forward. The purpose of this negative determination is to fulfill that requirement.

The proposed project will not adversely affect visual resources of the coastal zone. The Park Service proposes to remove an existing paved road and parking area and replace them with native vegetation and structures that historically existed on the site, and thus restore the historic character of the site. This activity will improve the visual character of the site. Additionally, the project will improve the habitat values of the area. The Park Service proposes to remove existing vegetation and pavement and replant the area with native vegetation, expanding the amount of native habitat around the lighthouse. However, the Park Service will not remove existing Torrey Pines, which are sensitive species. Finally, the project will have minor affects on recreational use of the area and will not affect public access to the shoreline. The Park Service will restrict public use of the site during construction, which could last six to eight months. This

¹ CD-105-95.

temporary impact to recreational resources will not be significant because of its short duration and because the completed project will improve recreational use of the area. Since the project is not located on the shoreline, this temporary closure will not affect public access to the ocean.

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 Raives of the Coastal Commission staff at (415) 904-5292.

Sincerely,



PETER M. DOUGLAS
Executive Director

cc: San Diego Coast Area Office
Department of Water Resources
Governor's Washington D.C. Office

PMD/JRR



CALIFORNIA COASTAL COMMISSION

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July 6, 2000

Gary E. Curtis, Head
Facilities Management and Operations Office
Space and Naval Warfare Systems Center
53560 Hull St.
San Diego, CA 92152-500180

RE: ND-066-00, Negative Determination, Navy, Marine mammal pen, Point Loma, San Diego

Dear Mr. Curtis:

The Coastal Commission staff has received the above-referenced negative determination for the construction of a marine mammal pen adjacent to existing Navy marine mammal facilities at Pier 302, Space and Naval Warfare Systems Center, east side of the Point Loma peninsula in San Diego. The pen will be used for marine mammal breeding activities. The pen will be held in place by two 18 inch steel pipes, with a three ft. wide floating walkway and open mesh connecting the pilings. Public views, water quality and environmentally sensitive habitat will not be affected. The project will avoid eelgrass impacts and will be constructed outside the least tern nesting season.

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 Navy that this project is similar to a number of consistency and negative determinations we have concurred with, including a recently concurred with negative determination for marine mammal facilities at the Naval Amphibious Base in Coronado (ND-44-00), as well as several consistency and negative determinations for marine mammal facilities at Point Loma, including Consistency Determination CD-103-92, which established marine mammal facilities at Pier 302, and negative determinations CD-13-80 and ND-48-96. 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 cursive script that reads "Mark Delaplaine".

(for) PETER M. DOUGLAS
Executive Director

cc: San Diego Coast Area Office
Department of Water Resources
Governor's Washington D.C. Office
Army Corps, San Diego Field Office

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
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June 27, 2000

John Meyers
National Weather Service
11440 West Bernardo Court, Suite 230
San Diego, CA 92127-1643

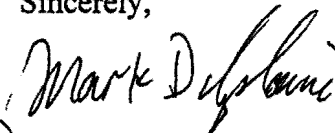
RE: ND-57-00, Negative Determination, National Weather Service (NWS), antenna replacement, Solana Beach, San Diego Co.

Dear Mr. Meyers:

The Coastal Commission staff has reviewed the above-referenced negative determination for the in-kind replacement of a 33 ft. high passive weather antenna located above a Solana Beach LifeGuard Station (at 111 South Sierra Ave.) on City owned property in Solana Beach. The antenna would be sited further landward of the existing blufftop edge (and at least 41 ft. from the bluff edge) than the existing antenna. The existing antenna would be removed. To address potential shoreline/blufftop erosion concerns, the NWS has committed in writing that if further blufftop erosion occurs, it will not seek authorization for future construction of any bluff retaining walls, seawalls and/or other blufftop or shoreline protective works, and, further, if the blufftop recedes to within 10 ft. of the concrete foundation for the antenna, the antenna and foundation will be removed or relocated. In addition, the more seaward existing concrete foundation will be removed. With these commitments, the project would reduce geologic risks when compared to the existing antenna, and the visual impacts from the antenna would be the same as or slightly less than the existing antenna.

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

Sincerely,


(for) PETER M. DOUGLAS
Executive Director

cc: San Diego Area Office
Department of Water Resources
Governor's Washington D.C. Office

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June 27, 2000

Bradley E. Smith
COL, TC
Department of the Army
7th Transportation Group
Fort Eustis, VA 23604-5484

Attn: Andrea Arredondo

RE: **ND-67-00**, Negative Determination, U.S. Army, Temporary Elevated Causeway and other temporary training activities, Camp Pendelton Marine Corps Base, San Diego Co.

Dear Col. Smith:

The Coastal Commission staff has reviewed the above-referenced negative determination for the temporary installation of two piers and a simulated offshore-inland petroleum distribution system, along the shoreline of Red Beach, on Camp Pendelton Marine Corps Base in San Diego County. The project would consist of a military training exercise including: (1) the installation of temporary floating piers anchored (by the weight of sand) to the beach; and (2) using freshwater (and involving no petroleum products), a simulation of the pumping of petroleum products through a temporary pipeline, from offshore to the beach. The modular causeway and temporary elevated causeway (or "ELCAS") piers would be 1000 ft. long and 810 ft. long, respectively. Construction and disassembly would take 20 days for each pier. The activity would take place between August 7 and September 27, 2000. All facilities would be removed upon completion of the exercise, and the sites would be restored (i.e., the temporarily excavated small areas of sand will be replaced) to their pre-project conditions upon completion of the activity.

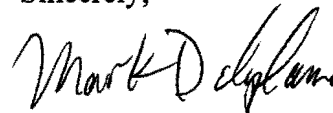
The Army has coordinated with the appropriate wildlife agencies and the Regional Water Quality Control Board (because the freshwater would be discharged into the ocean upon completion). Snowy plovers and least terns do not nest at Red Beach on Camp Pendleton.

Through the negative determination process, the Commission staff has concurred with numerous similar requests (at least with respect to the temporary elevated causeway) by the U.S. Navy for temporary elevated causeway installation at the Naval Amphibious Base in Coronado (see ND-26-99, ND-5-95, ND-30-94, ND-27-93, ND-97-92, ND-69-92, CD-84-91, and ND-61-90).

Under those reviews, the Commission staff has determined that, with the consultation built into the process with the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and the U.S. Army Corps of Engineers, habitat and access impacts would be minimal. The Navy has conducted these types of exercises on a regular basis (up to four times/year), and the Commission staff has concurred with the Navy's negative determinations when the Navy has either: (1) implemented the project outside the least tern and snowy plover nesting season; or (2) when scheduled during the nesting season, the Navy has consulted with the U.S. Fish and Wildlife Service and assured that the activity would be performed in an area where it would avoid impacts to least terns and snowy plovers. For the proposed Army activity, located on Red Beach on Camp Pendleton, least terns and snowy plovers would not be affected.

Thus, we agree with your conclusion that the project's impacts would be temporary and minimal, and that the project would not adversely affect coastal zone resources. We therefore **concur** with your negative determination made pursuant to Section 15 CFR 930.35(d) of the NOAA implementing regulations. Please contact Mark Delaplaine at (415) 904-5289 if you have any questions.

Sincerely,



(for) PETER M. DOUGLAS
Executive Director

cc: San Diego Coast Area Office
Department of Water Resources
Governor's Washington D.C. Office
U.S. Marine Corps (Mark Anderson, Environmental Security
Box 555010, Camp Pendleton, CA 92055-5010)

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June 27, 2000

Andrew Ringgold, Superintendent
U.S. Dept. of the Interior
California Dept. of Parks and Recreation
Redwood National and State Parks
1111 Second Street
Crescent City, CA 95531

RE: **ND-068-00** Negative Determination, Implementation of vehicular access restrictions,
Redwood National Park, Humboldt and Del Norte Counties

Dear Mr. Ringgold:

The Coastal Commission staff has received the above-referenced negative determination for the implementation of access restrictions at Freshwater Spit and other areas of Redwood National and State Parks. On March 14, 2000, the Coastal Commission concurred with the Park Service's consistency determination for the General Management Plan for the park (CD-11-00). The reason for this negative determination is because, in reviewing the Management Plan, the Commission informed the Park Service, and the National Park Service agreed, that further coordination with the Commission (or its staff) in the form of additional negative or consistency determinations might be needed for implementing measures, including the redesign of Freshwater Spit facilities in conjunction with the conversion from overnight to day use, as well as other physical access-modifying restrictions.

In concurring with the General Management Plan, the Commission supported the notion of implementing these types of restrictions, including eliminating unmanaged overnight use at the spit and unmanaged vehicular use of the beach. For these reasons, the Commission agreed with the National Park Service that the Management Plan properly balanced conflicts between competing recreational uses and protecting environmentally sensitive habitat and other coastal resources, in a manner consistent with the public access and recreation policies of the Coastal Act.

The subject negative determination addresses one specific action described in the management plan: the enforcement of National Park Service regulations prohibiting off-road vehicle use in national parks. These regulations are being enforced through limitation of vehicle access onto federally administered beaches by use of gates and physical barriers, signs and other public information, and establishment of a permit system for off-road vehicle use associated with commercial fishing.

The National Park Service proposes to take the following steps to enforce its regulations prohibiting unauthorized off-road vehicle use in the national park:

1. Install locked gates at existing beach access points at Freshwater Spit and Hidden Beach in Humboldt County.
2. Issue permits and gate keys to commercial beach fishermen for off-road vehicle use at Freshwater Spit and Hidden Beach, and permits to commercial beach fishermen at Crescent Beach in Del Norte County. Using the same permits systems and gate keys, accommodate disabled fishermen who require a vehicle to gain access to Freshwater Spit or Crescent Beach to fish.
3. Erect or post signs to inform visitors and off-road vehicle drivers of National Park Service regulations prohibiting off-road vehicle use and to mark the national park boundary between Crescent Beach and South Beach in Del Norte County.

More specifically, the Park Service proposes:

***Gates.** Metal swing gates will be installed at the three existing beach access points at Freshwater Spit and at the existing Hidden Beach parking lot at the end of the road along the north flood-control levee of Redwood Creek. These swing gates are similar to those presently used at Stone Lagoon in Humboldt Lagoons State Park [to the] south.... A barrier of large boulders and/or logs will be placed for approximately 25 feet on either side of each gate at Freshwater Spit to discourage unauthorized vehicles from driving around the gates. At Hidden Beach, boulders and/or logs will be placed for approximately 225 feet between the end of the road along the north flood-control levee and the north slough of Redwood Creek. ...*

Commercial fishermen who have a valid permit for off-road vehicle use in the national park or at Gold Bluffs Beach in Prairie Creek Redwoods State Park north of Hidden Beach will be given a gate key for Freshwater Spit and Hidden Beach gates when they receive their permit. The gate key will also open the Gold Bluffs Beach gate. A small deposit (\$5) will be required for a gate key. Disabled fishermen who require a vehicle to gain access to the beach to fish will also be accommodated in the same manner at Freshwater Spit and Crescent Beach.

***Permits.** Off-road vehicle use associated with commercial surf fishing at Freshwater Spit, Hidden Beach, and Crescent Beach will continue under renewable, nontransferable annual permit. The National Park Service is issuing permits for vehicle access to holders of commercial fishing licenses issued between March 1996 and September 1, 1999. Any permit not renewed in a given year will be terminated. Until off-road vehicle use associated with commercial fishing is phased out, the National Park Service will also issue permits to disabled fishermen who require a vehicle to gain access to the beach to fish.*

Signs. Regulatory signs will be placed along the edge of the hardened surface on the west side of the U.S. Highway 101 right-of-way at Freshwater Spit from Gyon Bluffs at the south end of the spit northward to the beach access point at the Redwood Creek picnic area (see ND-95-94, Redwood National and State Parks, Enhancement of Redwood Creek Picnic Area, Humboldt County.) Fifteen signs will be placed about 300 feet apart for approximately three-quarters of a mile along the spit. These signs will be 18-by-24-inches with the text "Closed Area - Authorized Vehicles Only" and will have the universal symbols for off-road vehicles and 4-wheel-drive with a slash through them, indicating no off-road vehicle use.

Two additional signs will be placed at each gated access point. One sign will be 24-by-30-inches and will read "Vehicles Prohibited on Beach, except by Permit." A second 18-by-24-inch sign will cite the federal regulations addressing off-road vehicle use, collection of wood and other park resources, and use of power saws in national parks. Smaller versions of the regulations will be posted on each existing information kiosk along Freshwater Spit.

Some of the signs and boulders/logs may be removed in the future as beach users learn about the off-road vehicle closure and abide by the regulations. Signs and boulders/logs will remain in place if damage to park resources occurs from unauthorized beach use.

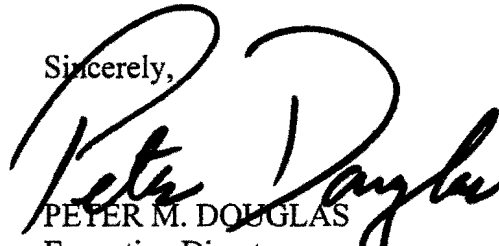
At Crescent Beach, which is contiguous with South Beach, the National Park Service will erect a boundary sign that can be easily seen from the wave slope at the south end of South Beach. Carsonite stakes may be placed along the wave slope to delineate the boundary more clearly, if the boundary sign is not sufficient to inform off-road vehicles users that a National Park Service permit is required for off-road vehicle use in the national park.

In analyzing the effects of these measures, and their consistency with the Commission-concurred-with General Management Plan, the National Park Service states:

Beach access by motor vehicle for coastal-dependent commercial fishing will be allowed to the extent that such uses are consistent with federal regulations and statutes applicable to the National Park Service. Commercial and recreational fishing will continue in park waters and be governed under state laws, as provided in the legislative history for the legislation that established Redwood National Park. Limiting off-road vehicle use to vehicles used for commercial fishing only and eventually phasing out off-road vehicle use altogether will be done to meet park service statutory obligations to protect park resources and enhance public enjoyment of park resources and values, and to provide consistent management of vehicles on beaches owned by the National Park Service and the California Department of Parks and Recreation within Redwood National and State Parks. The signs and boulders will not detract significantly from views of the Pacific Ocean or from the visual quality of the Freshwater Spit area.

Under the federal consistency regulations (Section 930.35(d)), 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." This proposal consists of implementation measures for the management plan with which the Commission concurred in CD-11-00, and does not raise any new coastal zone resource issues that were not previously addressed through that concurrence. We therefore **agree** with the National Park Service's assessment that the implementation of these measures would be the same as or similar to activities for which a consistency determination was prepared (and concurred with). We hereby **concur** with your negative determination for these measures 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 Coast Area Office
California Department of Water Resources
Governors Washington D.C. Office
Aida Parkinson (Redwood National Park
Arcata Office, 1125 16th St.
Arcata CA 95521)

CALIFORNIA COASTAL COMMISSION

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July 6, 2000

Karl Treiberg
Environmental Coordinator
Santa Barbara County Flood Control & Water Conservation
District and Water Agency
123 E. Anapamu Street
Santa Barbara, CA 93101

Re: **NE-69-00** No Effects Determination, Santa Barbara County Flood Control, Routine Flood Control Maintenance Plan for FY 2000/2001

Dear Mr. Treiberg:

The Coastal Commission staff has reviewed the above-referenced no effects determination for annual routine maintenance on various streams and flood control facilities in Santa Barbara County. Typical flood control maintenance activities include removal of obstructive vegetation from streambeds, applications of herbicide to obstructive and non-native vegetation, channel shaping associated with bank stabilization, and channel desilting. The District submitted and we concurred with no effects determinations for similar plans for annual maintenance in 1997-1999 (NE-79-97, NE-68-98, and NE-66-99).

Several of the activities identified in the plan are within the coastal zone and are subject to the permit requirements of the Coastal Act. It appears that most of the activities within the coastal zone are under the coastal permit jurisdiction of either the County or the City of Santa Barbara; permits approved by those agencies would be appealable to the Commission. In situations such as this, the Commission usually waives federal consistency review if the project is appealable and does not raise any significant issues. After reviewing the maintenance plan, the Commission staff concludes it is appropriate to waive federal consistency review for those activities within the coastal zone.

For those activities located outside the coastal zone, the Commission staff evaluated the projects for effects on water quality, hydrology, sand supply, and habitat. With respect to water quality, the Commission staff has consistently expressed concerns about effects from the spraying of herbicides on the water quality of the coastal zone. However, the District proposes to use only herbicides that USEPA has approved for use in streams. Additionally, the District proposes several mitigation measures that will minimize the activities' effects on water quality in the coastal zone. With respect to stream hydrology, none of the activities proposed by the District will have a significant effect on hydrology in the coastal zone.

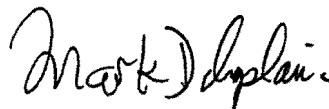
The removal of sediment from the streams scheduled for annual maintenance has the potential to affect sand supply resources of the coastal zone. Several of the projects involve the removal of material from streams that drain into the ocean. These projects could result in a loss of sand

resources to local beaches. However, as in past years, the County is proposing to remove only small amounts of material from these systems. Therefore, the effect on sand supply will be insignificant. Based on this conclusion, the Commission staff agrees that the proposed desilting projects will not significantly affect sand supply resources of the coastal zone. However, the Commission staff reiterates the requests we made in 1998 and 1999 that the District consider, where appropriate, using compatible materials removed from streambeds for beach replenishment in the region.

The Commission staff also evaluated the maintenance plan for adverse effects on habitat resources of the coastal zone. Most of the activities described in the plan do not appear to hold the potential to generate significant effects on habitat resources. Several of the projects described in the maintenance plan are located upstream from Goleta Slough and Carpinteria Slough, and include activities that have the potential to affect slough habitat by increasing the amount of sedimentation deposited into the slough. However, there are sediment traps on those streams below the maintenance projects, and the District designed the traps to minimize sedimentation impacts to the slough. Therefore, the Commission staff concludes that the proposed maintenance plan will not generate significant adverse effects on habitat resources of the coastal zone.

In conclusion, the Commission staff agrees that the proposed flood control maintenance plan will not adversely affect coastal zone resources. We therefore concur with your no effects determination made pursuant to 15 CFR 930.50. Please contact Mark Delaplaine of the Commission staff at (415) 904-5289 should you have any questions regarding this matter.

Sincerely,



(for) PETER M. DOUGLAS
Executive Director

cc: Ventura Area Office
California Department of Water Resources
Governor's Washington, D.C., Office
Corps of Engineers, Ventura Field Office