

CALIFORNIA COASTAL COMMISSION

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



RECORD PACKET COPY

Tu 7

DATE: October 23, 2001

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 #:	NE-084-00
APPLICANT:	San Luis Obispo County
LOCATION:	Arroyo Grande Creek, near Oceano, SLO Co.
PROJECT:	Maintenance of flood-control facility
ACTION:	No effect
ACTION DATE:	10/11/2001

PROJECT #:	ND-070-01
APPLICANT:	Bureau of Land Management
LOCATION:	Mattole Campground, King Range, Humboldt Co.
PROJECT:	Compground Improvements
ACTION:	Concur
ACTION DATE:	09/20/2001

PROJECT #:	ND-071-01
APPLICANT:	Navy
LOCATION:	Offshore of San Nicolas Island, Ventura Co.
PROJECT:	Harpoon Missile Test
ACTION:	Concur
ACTION DATE:	09/21/2001

PROJECT #:	ND-079-01
APPLICANT:	Navy
LOCATION:	Naval Amphibious Base, Coronado, San Diego Co.
PROJECT:	Demolition of 47,130 sq. ft. and construction of 63,815 sq. ft. SEAL Team Operations Facility
ACTION:	Concur
ACTION DATE:	10/11/2001

PROJECT #:	ND-080-01
APPLICANT:	Marine Corps
LOCATION:	Marine Corps Recruit Depot, San Diego and Port of San Diego
PROJECT:	Land Exchange between Marine Corps and Port
ACTION:	Concur
ACTION DATE:	10/05/2001

PROJECT #:	ND-082-01
APPLICANT:	Navy
LOCATION:	Naval Base Ventura County
PROJECT:	Extension of a berm around firing range
ACTION:	Concur
ACTION DATE:	10/22/2001

PROJECT #:	NE-083-01
APPLICANT:	Caltrans
LOCATION:	SF-DODS, offshore of San Francisco
PROJECT:	Disposal of dredged material
ACTION:	No effect
ACTION DATE:	10/04/2001

PROJECT #:	ND-085-01
APPLICANT:	Navy
LOCATION:	Naval Weapons Station Seal Beach, Orange Co.
PROJECT:	Repair of Wharf
ACTION:	Concur
ACTION DATE:	10/02/2001

PROJECT #:	ND-086-01
APPLICANT:	Navy
LOCATION:	Naval Base, Ventura County
PROJECT:	Drainage Ditch Maintenance
ACTION:	Concur
ACTION DATE:	10/05/2001

PROJECT #:	ND-088-01
APPLICANT:	Coast Guard
LOCATION:	Naval Station, San Diego, Naval Amphibious Base, Coronado, Naval Air Station, North Island, San Diego, and Naval Supply Center, Point Loma
PROJECT:	Establishment of Security Zones
ACTION:	Concur
ACTION DATE:	10/16/2001



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October 11, 2001

Mark Cassady
Essex Environmental
890 Osos St., Suite B
San Luis Obispo, CA 93401

Applicant: San Luis Obispo County
Project: Flood maintenance activities
Location: Arroyo Grande Creek, Oceano, San Luis Obispo Co.

Coastal Commission Federal Consistency Jurisdiction No: NE-84-00
U.S. Army Corps of Engineers Notice No. (if applicable):
If a nationwide permit, NWP number

The Coastal Commission staff has received your request to identify Commission jurisdiction for the purposes of processing an individual, nationwide, general or regional permit from the Army Corps of Engineers (Corps). Pursuant to the federal Coastal Zone Management Act (CZMA), the Corps cannot issue a permit for an activity, either in or out of the coastal zone, that affects land and water uses or natural resources of the coastal zone until the applicant has complied with the requirements of Section 307(c)(3)(A) of the CZMA. (16 USC Section 1456[c][3][A].) The applicant can meet these requirements by receiving a Commission concurrence with either (1) a consistency certification prepared by the applicant or (2) a showing that the activity does not affect the coastal zone. Alternatively, the applicant can satisfy these requirements by the issuance of a Commission approved coastal development permit. Since the Commission cannot delegate federal consistency authority to local governments, a coastal development permit issued by a local agency does not replace the requirement for a consistency certification.

The Coastal Commission staff has reviewed the information submitted for the above-referenced project, and has made the following determination:

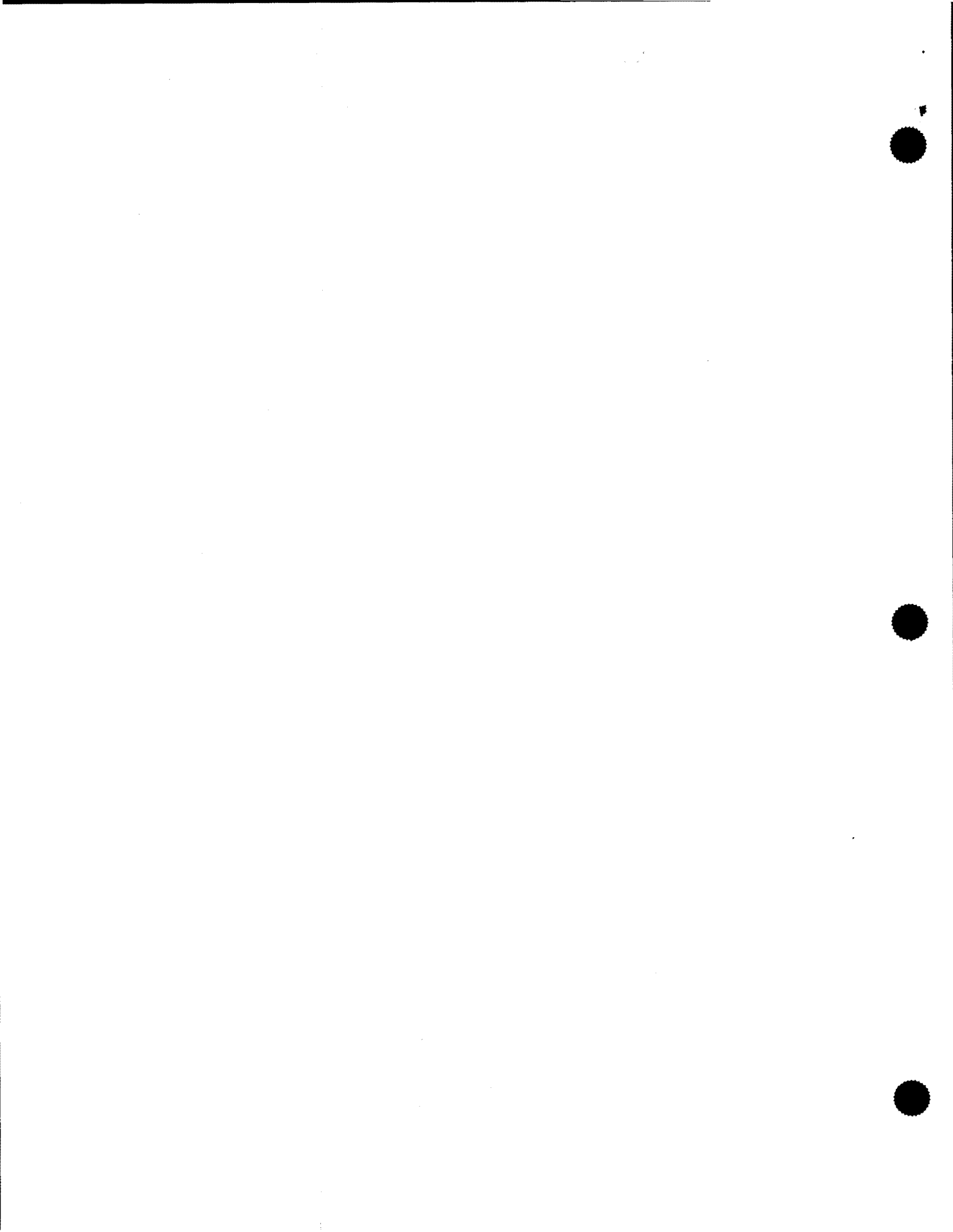
No federal consistency review by the Coastal Commission is necessary, due to the fact that: (1) this project has been modified to eliminate any activity within the coastal zone; and (2) the project as modified no longer requires a federal permit (e.g., Army Corps Section 404 permit).

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Delaplaine".

Mark Delaplaine
Federal Consistency Staff

cc: Santa Cruz Area Office



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FAX (415) 904-5400



September 20, 2001

Lynda J. Roush
Arcata Field Manager
Bureau of Land Management
ATTN: Gary Pritchard-Peterson
1695 Heindon Road
Arcata, CA 95521-4573

Subject: Negative Determination ND-70-01 (Mattole Campground
Improvements, Humboldt County).

Dear Ms. Roush:

The Commission staff has reviewed the above-referenced negative determination for improvements to the Mattole Campground in the King Range National Conservation Area (KRNCA), at Mattole Beach five miles west of Petrolia in Humboldt County. The Bureau of Land Management (BLM) proposes to: (1) install a prefabricated, double vault toilet in the existing parking area adjacent to the existing portable toilet; (2) construct a potable water system, including a stream diversion, packaged water treatment facility, two 1700-gallon storage tanks, and gravity flow lines to three faucets in the campground; and (3) realign road surfaces and establish individual campsites and a group campsite within the campground by the use of natural vegetation screens and driftwood logs to create boundaries. Each project component will be constructed individually as funding permits and in order to minimize recreation impacts.

The water treatment facility and storage tanks will be located on the top of the 300-foot-high bluff above Mattole Beach, will be set back 100 feet from the bluff edge, and will not be visible from the beach, the campground, or the dirt road traversing the top of the bluff. The BLM estimates that the project will divert between five and fifteen percent of the average June streamflow from the water source located above the bluff. The water storage tanks will be buried and the treatment facility will be placed within an eight-foot-high, 8x10 foot concrete block building screened by existing natural vegetation. Southward-facing photovoltaic solar panels will be installed on the roof to power the treatment facility. A water line (buried and above-ground, depending on the terrain) will run from the storage tanks down a vegetated gully to the campground.

The proposed project conforms to the KRNCA Management Program and Visitor Services Plan and will provide the public with clean water, a sanitary toilet, and campsites that are visually compatible with the surrounding area. No threatened or endangered species would be affected by the project, a qualified archaeological specialist will be on the site during all surface

disturbing activities, and coordination with the grazing lessee will avoid safety conflicts during and after project construction. Disturbed areas will be replanted with native plants and covered with a weed-free mulch to prevent the establishment of non-native species. While the water diversion is not expected to affect native riparian habitat, baseline photographs of the project area will be taken prior to the start of construction, and riparian habitat will be monitored to determine if diversion generated adverse impacts. In addition, if streamflow rates drop to where water diversion to the campground is not feasible, the water system component of the project will be reevaluated.

Therefore, we **agree** with your conclusion that the proposed project would not adversely affect sensitive habitat, public access and recreation, or other coastal resources. We hereby **concur** with your negative determination for this project made pursuant to Section 15 CFR 930.35 of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,



FOR

PETER M. DOUGLAS
Executive Director

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

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
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September 21, 2001

Carolyn A. Sheperd
Environmental Project Office
Naval Air Weapons Station
1 Administrative Circle
China Lake, CA 93555-6100

Attn: Steven Schwartz

RE: **ND-071-01**, Negative Determination for a Harpoon Missile Test,
offshore of San Nicolas Island

Dear Ms. Sheperd:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The Navy proposes to conduct a one-time test of the Harpoon missile. The Navy will conduct the test offshore of San Nicolas Island and has scheduled it to occur in October. The actual test will last about ten minutes, but will operation occur over several days to allow for setup and weather delays.

In December 2000, the Navy submitted a consistency determination (CD-2-01) for testing and training activities conducted at the Point Mugu Sea Range. On February 14, 2001, the California Coastal Commission concurred with that consistency determination. Various types of missile testing are specifically addressed in the Sea Range consistency determination including surface-to-surface tests such as the proposed Harpoon developmental test. The proposed Harpoon launch platform and the proposed surface target are specifically addressed in the Sea Range consistency determination, as is the use of Harpoon missiles in test and training scenarios. In addition, the consistency determination addresses nearshore test activities off San Nicolas Island. Except for the location of the target for this proposed test (it would be located approximately 0.6 nautical mile offshore from the island), the Harpoon test is identical to those activities addressed in the existing consistency determination which addresses activities beyond 1 nautical mile. Therefore, the proposed project is the same as or similar to a previously reviewed consistency determination.

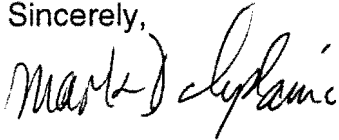
In addition, the Navy's project includes the following measures to avoid affects on coastal resources: 1) aerial surveys to determine if marine mammals are near the impact site and postponing the test until the site is clear of any sensitive species; 2) limiting the test to clear calm weather and sea conditions, which enhance the Navy's opportunity to identify any marine mammals in the vicinity of the launch;

September 21, 2001
ND-071-01
Page 2

and 3) limiting the anchorage of the target vessel to sandy areas, thus avoiding impacts to hard-bottom habitat.

In conclusion, the Coastal Commission staff agrees that the proposed project is similar to projects authorized in CD-2-01 and will not adversely affect coastal zone resources. We, therefore, concur with the negative determination made pursuant to 15 C.F.R. Section 930.35. If you have any questions, please contact James R. Raives of the Coastal Commission staff at (415) 904-5292.

Sincerely,



(for)

PETER M. DOUGLAS
Executive Director

cc: South Central Coast Area Office

PMD/JRR

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
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October 11, 2001

J.P. Rios, Lt. Cmdr.
Civil Engineering Corps
Naval Air Station North Island
Box 357033
San Diego, CA 92135-7033

Attn: Mike Petersen

RE: **ND-079-01**, Negative Determination for the Construction and Operation of a Seal Team Operations Facility, Naval Amphibious Base, Coronado (Q-203)

Dear Lt. Cmdr. Rios:

The Coastal Commission staff has reviewed the above-referenced negative determination for the demolition of 47,130 sq. ft. of existing storage containers and other facilities and buildings, and construction of a SEAL Team Operations Facility, seaward of State Route 75 at the Naval Amphibious Base in Coronado. The project consists of:

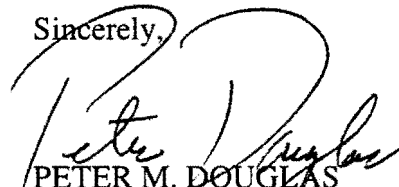
- (1) construction of a 3-story, 63,915 sq. ft., 44.5 ft. high, Naval Special Warfare Group One operations and operational support facility;
- (2) construction of a 1-story, 8,855 sq. ft., 17.5 ft. high, supply building;
- (3) renovation of an existing building (Bldg. 600);
- (4) upgrading the existing parachute drying tower; and
- (5) upgrading sewer service to the facility.

The project has been sited to minimize public views from Route 75, has been designed to be consistent with the Navy's Base Exterior Architecture Plan, will use an earth tone color scheme compatible with nearby buildings, and, in consultation with the City of Coronado, has been modified to be reduced in height by two feet and to incorporate increased landscaping efforts. Given the cluttered nature of the existing development proposed for demolition, along with the proposed landscaping, the project represents a net visual improvement over existing conditions. In addition, the project will not increase the overall military population on the base or increase traffic through Coronado

public streets. Environmentally sensitive habitat will not be adversely affected. Water quality will be addressed through the incorporation of Best Management Practices and the construction and operation of the facility.

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. If you have any questions, please contact Mark Delaplaine of the Coastal Commission staff at (415) 904-5289.

Sincerely,



PETER M. DOUGLAS
Executive Director

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

CALIFORNIA COASTAL COMMISSION

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October 5, 2001

J.C. Hully, Commanding General
United States Marine Corps
Marine Corps Recruit Depot
1600 Henderson Avenue, Suite 238
San Diego, CA 92140-5001

Attn: Sharon Smith

RE: **ND-080-01**, Negative Determination, U. S. Marine Corps, Land Exchange between the Port of San Diego and the U.S. Marine Corps, Marine Corps Recruit Depot, San Diego

Dear General Hully:

The Coastal Commission staff has received and reviewed the above-referenced negative determination for the exchange of several parcels between the U.S. Marine Corps and the Port of San Diego, at Lindberg Field in San Diego. The transfer consists of three Marine Corps parcels being transferred to the Port (44.3 acres), and one parcel from the Port to the Marine Corps (9.65 acres). The overall impetus for the transfer is the extension of Taxiway C at the San Diego International Airport, to maintain the safe and efficient flow of aircraft ground traffic and reduce the number of runway crossings required by taxiing aircraft, thereby reducing airfield congestion. The project would also enable the construction and relocation of several Marine Corps facilities. Although it would improve airport safety, the project would not increase airport capacity. The Commission will continue to have regulatory control over activities on all these lands through the federal consistency, port master plan, and coastal development permit processes.

In conclusion, the Coastal Commission staff agrees that the proposed project will not adversely affect coastal zone resources. We, therefore, **concur** with your negative determination made pursuant to 15 C.F.R. Section 930.35. 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 District Office
Port of San Diego

CALIFORNIA COASTAL COMMISSION

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October 22, 2001

Vivian Goo
Deputy Public Works Officer
Naval Base Ventura County
311 Main Road, Suite 1
Point Mugu, CA 93042-5001

Attn: Jim Danza

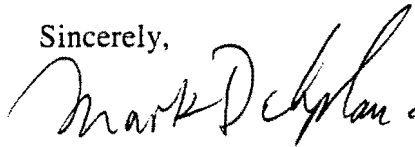
RE: **ND-82-01**, Negative Determination, Navy, Berm extension, Rifle Range, Naval Base
Ventura County

Dear Ms. Goo:

The Coastal Commission staff has received the above-referenced negative determination for the extension of an existing berm at an existing rifle range (the central range) at the Naval Base Ventura County. The purpose of the berm is for habitat protection, to reduce noise impacts to the western snowy plover, which nests on nearby beaches. The berm will be 17 ft. high, 35 ft. wide, and 105 ft. long; the total amount of material is 2,314 cu. yds. of material. The berm will not be visible from the beach, will not adversely affect water quality or shoreline erosion, and will benefit environmentally sensitive habitat.

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." In reviewing past Navy proposals for rifle range modifications, the Commission has concurred with a Navy consistency determination for a berm at the CBC rifle range at the eastern end of Point Mugu (CD-49-95). In other reviews, the Commission has expressed concerns over proposals to construct or increase shoreline protection in front of the central and eastern rifle ranges. As the Navy points out, however, the proposed berm would not affect the shoreline or extend the life of the rifle range. We agree with the Navy that this project would not adversely affect coastal zone resources and is similar to Consistency Determination CD 49-95, with which we concurred. We therefore **concur** with your negative determination made pursuant to Section 15 CFR 930.35 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
Department of Water Resources
Governor's Washington D.C. Office

CALIFORNIA COASTAL COMMISSION

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October 4, 2001

Randell Iwasaki
Acting District Director
Attn: Mara Melandry
Caltrans District 4
P.O. Box 23660
Oakland, CA 94623-0660

Re: **NE-83-01** No Effects Determination, Caltrans, Disposal of Dredged Material at SF-DODS associated with East Span Seismic Safety Project on the SF-Oakland Bay Bridge, San Francisco

Dear Mr. Iwasaki:

The Coastal Commission staff has received the above-referenced "no effects" determination for ocean disposal of 216,230 cubic yards of material to be dredged in conjunction with the East Span Seismic Safety Project on the SF-Oakland Bay Bridge. The disposal site is the Environmental Protection Agency (EPA)-approved deep ocean disposal site (SF-DODS), located approximately 50 miles west of San Francisco. The dredging, some in-Bay disposal, and other bridge repair work within the San Francisco Bay is subject to the permit and/or federal consistency jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC), and Caltrans has received a preliminary, staff level concurrence from BCDC. Only the offshore disposal is subject to Coastal Commission jurisdiction. This phase of dredging is needed to create a barge access channel along the north side of the replacement East Span of the bridge.

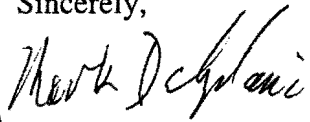
The Coastal Commission has reviewed past federal consistency submittals for the EPA site designation of SF-DODS (CD-36-94) and for subsequent administrative authorizations for use of the site (Navy dredging (ND-105-92), U.S. Army Corps of Engineers (COE) dredging in the Ports of Oakland and Richmond (ND-82-94 and ND-99-95), and Port of Oakland dredging (NE-97-96)). Through these reviews the Commission has determined that transportation of material through the coastal zone to the site, and disposal at the site, if not properly conducted, could affect the coastal zone. The Commission has determined that key to avoiding these effects is the continuation of adequate testing and monitoring provisions; the Commission noted that use of the site would not be authorized unless: (1) an adequate monitoring program is in place, to assure dredging will not affect the Sanctuary and to assure that transportation of dredged material through the coastal zone will not result in premature spills (short dumping) and adverse effects on

coastal waters; and (2) testing establishes that the material complies with "Green Book" standards (i.e., Evaluation of Dredged Material Proposed for Ocean Disposal, Testing Manual, 1991, EPA/COE).

Caltrans submitted the test results for the material to be dredged to the interagency Dredge Material Management Office (which consists of the COE, EPA, BCDC, and the Regional Water Quality Control Board (RWQCB)). The test results show the material proposed for disposal at SF-DODS complies with the applicable "Green Book" standards and is therefore suitable for disposal at the SF-DODS site. In addition, an adequate monitoring plan for SF-DODS remains in place, and Caltrans has agreed to fulfill its monitoring obligation through cost-shared monitoring with the COE.

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,

(FON) 
PETER M. DOUGLAS
Executive Director

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

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FAX (415) 904-5400



October 2, 2001

Ruth Bajza Villalobos
Chief, Planning Division
U.S. Army Corps of Engineers
ATTN: William Butler
P.O. Box 532711
Los Angeles, CA 90053-2325

Subject: Negative Determination ND-85-01 (Pier Repairs at Seal Beach Naval Weapons Station, Orange County).

Dear Ms. Villalobos:

The Coastal Commission staff has received the above-referenced negative determination for pier repair activities at Wharf 311 at the Seal Beach Naval Weapons Station in Anaheim Bay, Orange County. The proposed work includes removing and replacing nine 16-inch diameter timber fender piles, removal and replacement of fender rub material, and repair of pier decking. The new timber fender piles will be treated with ACZA at a pressure of 2.5-lbs/cu.ft. In order to ensure that ACZA will not leak into the water, the piles will be wrapped with a 150-mil polyethylene wrap. The wrapping will be sealed at all joints, and bumpers or rub strips will be installed on the piles to prevent damage from berthing activities. The wrapping will be monitored and any necessary repairs will be made in a timely manner. Silt screens will be used during pile removal and installation to minimize turbidity, and construction will occur between November 3 and 12, 2001, to avoid adverse effects on California least tern foraging in waters adjacent to the project site.

We agree with your conclusion that no adverse impacts to coastal resources would result from the project and that such work is similar to activities previously concurred with by the Commission. We therefore **concur** with your negative determination for the project made pursuant to Section 15 CFR 930.35(d) of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Peter M. Douglas".

(for) PETER M. DOUGLAS
Executive Director

cc: South Coast District Office
California Department of Water Resources
Governor's Washington, D.C., Office

CALIFORNIA COASTAL COMMISSION

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October 5, 2001

Vivian Goo
Deputy Public Works Officer
Naval Base Ventura County
311 Main Road, Suite 1
Point Mugu, CA 93042-5001

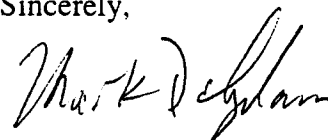
Attn: Jim Danza

RE: **ND-86-01**. Negative Determination, Navy, Drainage ditch maintenance, Naval Base Ventura County

Dear Ms. Goo:

The Coastal Commission staff has received the above-referenced negative determination for the removal of 2,000 sq. ft. of vegetation and soils to maintain existing flows in Oxnard Drainage Ditch #3, near the western boundary of the Naval Base Ventura County at Point Mugu. The project is needed to avoid flood flows damaging an existing bridge (the Arnold Rd. bridge) adjacent to the project site. The work would occur on the west side of the bridge and would consist of removing existing vegetation to its roots and 1.5 to 2 ft. of underlying sediments in the ditch, using a bucket shovel or an excavator working from the banks of the ditch. The material will be disposed of offsite at a sanitary landfill. The project would not adversely affect any sensitive wildlife species and will occur outside any sensitive nesting periods, and it will not affect any other coastal zone resources. We therefore **concur** with your negative determination made pursuant to Section 15 CFR 930.35 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
Department of Water Resources
Governor's Washington D.C. Office

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October 16, 2001

R.M. Diehl
Coast Guard
Maintenance and Logistics Command Pacific Division
Coast Guard Island, Bldg. 54D
Alameda, CA 94501-5100

Attn: Merry Goodenough

RE: **ND-088-01**, Negative Determination, Coast Guard Establishment of Security Zones, Naval Station San Diego and Naval Supply Center in San Diego, and Naval Amphibious Base and Naval Air Station North Island in Coronado

Dear Commander Diehl:

The Coastal Commission staff has reviewed the above-referenced negative determination for the establishment of security zones around various Navy assets at four San Diego Navy bases: the Naval Station San Diego (NSSD), the Naval Amphibious Base (NAB) and the Naval Air Station North Island (NASNI) in Coronado, and the Naval Supply Center (NSC) in San Diego. The Coast Guard notes: "With a heightened awareness of security needs, it has become evident that port security requires the regulation of public access in and around military operations." The purpose of the zones is to prevent recreational and commercial boats from interfering with military operations, as well as to safeguard Navy facilities from "destruction, loss or injury from sabotage or other subversive acts, accidents or other causes of similar nature." The restricted areas are either already restricted, or are adjacent to and constitute relatively minor expansions of existing restricted areas, in the immediate vicinity of Navy piers and bases. These areas are not typically used for recreational or commercial boating, and the restrictions will not adversely affect navigation or boating in San Diego Bay.

In conclusion, the Coastal Commission staff agrees that the proposed project will not adversely affect coastal zone resources. We therefore **concur** with your negative determination made pursuant to Section 15 CFR 930.35 of the NOAA implementing regulations. Please contact Mark Delaplaine at (415) 904-5289 if you have any questions.

Sincerely,

(for) Mark Delaplaine
PETER M. DOUGLAS
Executive Director

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

