

## CALIFORNIA COASTAL COMMISSION

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



RECORD PACKET COPY

**F 5**

**DATE:** January 15, 2002

**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-094-01
APPLICANT:	Navy
LOCATION:	Naval Base Ventura County, Port Hueneme, Ventura Co.
PROJECT:	Repair of quaywall
ACTION:	Concur
ACTION DATE:	1/10/2002

PROJECT #:	ND-100-01
APPLICANT:	Army
LOCATION:	Camp Pendelton Marine Corps Base, San Diego Co., San Diego Co.
PROJECT:	Joint Logistics Over-the-shore training exercises
ACTION:	Concur
ACTION DATE:	1/4/2002

PROJECT #:	NE-104-01
APPLICANT:	Navy
LOCATION:	Smith River Rancheria, Del Norte Co.
PROJECT:	Water Improvement Project
ACTION:	Concur
ACTION DATE:	1/3/2002



**CALIFORNIA COASTAL COMMISSION**

46 FREMONT STREET, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
V. AND TDD (415) 904-5200



January 10, 2002

Jim Danza, Department of the Navy  
Naval Base Ventura County  
311 Main road, Suite 1  
Point Mugu, CA 93042-5001

Re: **ND-094-01** Negative Determination, U.S. Navy, Repair and Replacement of Existing Quaywall, Naval Base Ventura County, Port Hueneme

Dear Mr. Danza:

The Coastal Commission staff has received the above-referenced negative determination for the repair and replacement of an existing quaywall at the Surface Craft Berth located at Port Hueneme. The project consists of the removal of the existing bulkhead, pilings and mooring floats, shore power receptacles, lighting systems, decommissioned fuel lines, underground wiring and water systems.

A 375 foot section of the quaywall will be replaced, and steel guide piles will be removed and reinstalled 84 inches outboard of their original location. Existing debris on the ocean floor will be removed, and the landside area of the bulkhead will be restored to accommodate staging material and heavy equipment. Damage to steel ramps and mooring floats will be repaired, an impressed cathodic protection system for steel bulkhead corrosion control will be installed, and utility and shore power services will be upgraded. Avoidance and mitigation measures to contain contaminants, construction materials and debris as specified in attachment A will be incorporated in the project. The Regional Water Quality Control Board (RWQCB) has issued conditional certification for the proposed project.

The Navy has further incorporated best management practices for the project, and it will not affect any federally listed endangered or threatened species, critical habitat or wetlands. The Commission staff agrees that with the measures the Navy has incorporated into the project, there will be no adverse impact to coastal resources. We therefore **concur** with your negative determination made pursuant to 15 CFR Section 930.35 of the NOAA implementing regulations. Please contact Kathleen Stycket of the Commission staff at (415) 904-5295 should you have any questions.

Sincerely,

*Mark D. Douglas*  
(for) PETER M. DOUGLAS  
Executive Director

cc: Ventura District Office  
RWQCB  
U.S. Army Corps of Engineers

### Attachment "A"

1. Material Containment. Particular care will be exercised to prevent foreign materials (e.g., construction scraps, wood preservatives, other chemicals, etc.) from entering the harbor or any other state waters. Where additional wood preservatives must be applied to cut wood surfaces, the materials, wherever feasible, shall be treated at an onshore location to preclude the possibility of spills into the Harbor or other state waters. A designated staging area shall be used for refueling equipment and vehicles, mixing and storing materials, debris collection and disposal, and containing runoff from any materials that may be used or stockpiled during the project. A floating containment boom shall be placed around all active portions of a construction site where wood scraps or other floatable debris could enter the water. For any work on or beneath fixed wharf decks, heavy-duty mesh containment netting shall be maintained below all work areas where construction discards or other material could fall into the water. The floating boom and net shall be cleared daily or as often as necessary to prevent accumulation of debris. Contractors shall insure that work crews are carefully briefed on the importance of observing the appropriate precautions and reporting any accidental spills. Construction contracts shall contain appropriate penalty provisions, sufficient to offset the cost of retrieving or clean up of foreign materials not properly contained.

2. Piling Installation Procedures. Piling installation will be performed in accordance with Department of Fish and Game recommendations. Generally, the new pilings shall be installed according to the method that results in the least disturbance of bottom sediments. All piles will be driven into place with a pile driver. Disturbed sediments shall be contained with a flexible skirt surrounding the driven pile.

3. Procedures for Concrete Work. If pile installation, or any other portion of the operations and maintenance program, requires the pouring of concrete in, adjacent to, or over the water, the following methods shall be employed to prevent uncured concrete from entering the Harbor or other state waters:

a. Complete dewatering of the pour site, within a cofferdam or other barrier; the site to remain dewatered until the concrete is sufficiently cured to prevent any significant increase in the pH of adjacent waters; or,

b. The tremie method, which involves placement of the form in water, inserting a plastic pipe down to the bottom of the form, and pumping concrete into the form so that the water is displaced towards the top of the form. If this method is selected, the displaced waters shall be pumped off and collected in a holding tank. The collected waters shall then be tested for pH, in accordance with the following California Department of Fish and Game recommendations. If the pH is greater than 8.5, the water will be neutralized with sulfuric acid until the pH is between 8.5 and 6.5. This pH-balanced water can then be returned to the sea. However, any solids that settle out during the pH balancing process shall not be discharged to the marine environment.

In each case involving such concrete pours in or near the Harbor or other state waters, we shall insure that a separate wash out area is provided for the concrete trucks and for tools. The wash out area(s) shall be designed and located so that there will be no chance of concrete slurry or contaminated water runoff to the Harbor or other state waters, nor into storm drains or gutters which empty into such bodies of water.

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January 3, 2002

Joseph Moscariello  
Department of the Army  
Headquarters, 63d United States Regional Support Command  
4235 Yorktown Avenue  
Los Alamitos, CA 90720-5002

Attn: Keith Schardein

RE: **ND-100-01**, Negative Determination, U.S. Army, Joint Logistics Over-the-shore exercises, Camp Pendleton Marine Corps Base, San Diego Co.

Dear LTC Moscariello:

The Coastal Commission staff has received the above-referenced negative determination for temporary military readiness tests called "Joint Logistics Over-the-Shore" (JLOTS) exercises at Camp Pendleton Marine Corps Base. On June 27, 2000, the Coastal Commission staff concurred with the Army's negative determination for a one-time authorization of essentially the same activity (ND-67-00). The Army now proposes a longer term implementation of the activity (two exercises per year, for five years).

The activity consists of the temporary installation of two temporary piers and a simulated offshore-inland petroleum distribution system, at Red and Gold Beach, including: (1) installation of a modular causeway (MCS, or Trident Pier), which is a 1000 ft. long temporary floating pier, anchored by the weight of sand to the beach, and a temporary elevated causeway (ELCAS); and (2) simulation of the pumping of petroleum products through a temporary pipeline, from offshore to the beach, using freshwater (which would be discharged into the ocean, 500 ft. offshore, upon completion). Construction and disassembly would take place at the Del Mar Boat Basin, and the equipment would be towed north to Red and Gold Beach. Each exercise would last 20 days for each pier. The next activity would take place between February-April, 2002, with a second annual event in the fall (Aug.-Oct.) All facilities would be removed upon completion of the exercise, and the sites would be restored to their pre-project conditions within 48 hours of completion of the activity. No petroleum products would be used in the simulated pumping activity.

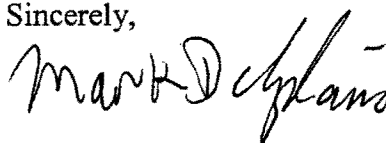
The Army has coordinated with the appropriate wildlife agencies, the U.S. Army Corps of Engineers, and the Regional Water Quality Control Board. Snowy plovers and least terns do not nest at Red Beach on Camp Pendleton. No eelgrass beds at the Del Mar Boat Basin would be affected.

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." The proposed activities are similar to those authorized in Negative Determination ND-67-00. We also note that the Commission staff has concurred with numerous U.S. Navy negative determinations for similar temporary elevated causeway exercises at the Naval Amphibious Base (NAB) in Coronado (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).

In those past reviews of Army and Navy exercises, the Commission staff has determined that habitat and access impacts would be minimal, given the consultation built into the process with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service, and, for the Navy's NAB exercises, 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 at the NAB, 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 and Gold<sup>h</sup> Beach and at the Del Mar Boat Basin on Camp Pendleton, least terns, snowy plovers, and eelgrass beds would not be affected.

Thus, we **agree** with your conclusion that the project's impacts would be temporary and minimal, and that the project is the similar to Negative Determination ND-67-00, 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,



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  
AC/S Environmental Security  
Box 555008  
Marine Corps Base  
Camp Pendleton, CA 92055-5008

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January 3, 2002

Steven Allen  
Tribal Engineer  
Winzler & Kelly  
633 Third St.  
Eureka, CA 95501-0417

Re: **NE-104-01**, No-Effects Determination, Smith River Rancheria, Water Improvement Project, Smith River Rancheria, Del Norte Co.

Dear Mr. Allen:

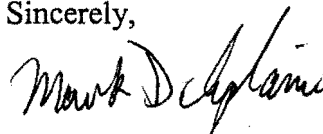
The Coastal Commission has received the above-referenced no-effects determination for improvements to the water supply and water delivery system for the Smith River Rancheria. The project consists of replacing a deteriorated intake pipe in Lopez Creek (including bank restoration), addressing corrosion concerns at the existing pumphouse, lining existing storage tank to stop leaks, removing waste that was illegally dumped near the water system intake, installing a water metering system to encourage conservation, improving water quality monitoring, and replacing 5000 ft. of asbestos covered pipes (in the road bed at the Rancheria) with plastic (PVC) pipes. The project is necessary to the quality and supply of the Rancheria. Construction impacts would be temporary; asbestos would be disposed of at a landfill approved for the acceptance of such materials.

The project would not affect public access, water quality, or scenic views. Public access on existing roadways will not be disrupted, and Del Norte County will oversee traffic control during road construction activities. Minimal and temporary disturbance (vegetation removal) will occur during construction in the Lopez Creek area; all disturbed areas will be revegetated to pre-project conditions. (The streamwork portion of the project is also subject to review by the U.S. Army Corps of Engineers and the California Department of Fish and Game.)

The Rancheria states that the project would be located on land held in trust by the federal government for the Rancheria, and thus is land excluded from the coastal zone. The Commission staff agrees that the proposed project will not adversely affect coastal zone

resources. Consequently, we **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,



(PMD) PETER M. DOUGLAS  
Executive Director

cc: North Coast Area Office  
Governor's Washington D.C. Office  
Department of Water Resources  
U.S. Army Corps of Engineers, Eureka Field Office  
California Department of Fish and Game