

CALIFORNIA COASTAL COMMISSION

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



RECORD PACKET COPY

M 12

DATE: June 17, 2002

TO: Coastal Commissioners and Interested Parties

FROM: Mark Delaplaine, Federal Consistency Supervisor
Peter M. Douglas, Executive Director

RE: Negative Determinations Issued by the Executive Director
[Executive Director decision letters are attached]

PROJECT #:	ND-021-02
APPLICANT:	Channel Islands National Park
LOCATION:	Santa Cruz Island, Santa Barbara Co.
PROJECT:	Habitat restoration, including removing feral pigs
ACTION:	Concur
ACTION DATE:	05/28/2002

PROJECT #:	NE-031-02
APPLICANT:	Navy
LOCATION:	Naval Base, Ventura County, Point Mugu, Ventura Co.
PROJECT:	Upgrade existing communications system
ACTION:	Concur
ACTION DATE:	6/5/2002

PROJECT #:	ND-039-02
APPLICANT:	Navy
LOCATION:	Naval Air Station North Island, Coronado, San Diego Co.
PROJECT:	Establishment of Restricted Zones
ACTION:	Concur
ACTION DATE:	06/03/2002

PROJECT #:	NE-035-02
APPLICANT:	Orange County
LOCATION:	Various locations, Dana Point, Orange Co.
PROJECT:	Ocean outlet maintenance
ACTION:	Concur
ACTION DATE:	6/13/2002





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May 28, 2002

Tim Setnicka
Channel Islands National Park
1901 Spinnaker Drive
Ventura, CA 93001-4354

Attn: Steve Ortega

RE: ND-021-02, Santa Cruz Island Primary Restoration Plan, Santa Barbara County.

Dear Mr. Setnicka:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The National Park Service, in conjunction with The Nature Conservancy, has developed a restoration plan for Santa Cruz Island. In the plan, the Park Service proposes to accomplish the following goals: 1) eradicate non-native feral pigs; 2) reduce the spread and presence of large populations of non-native vegetation, specifically fennel; 3) promote the conservation and recovery of rare plant and animal species; and 4) eliminate disturbance and degradation of archaeological resources. To accomplish these goals, the Park Service proposes annual phased hunting and trapping of feral pigs in fenced units island-wide. Specifically, the Park Service will construct fences along existing and historical fence lines to divide the island into six management units of roughly 12,000 acres each. The Park Service will remove the pigs from each of these units, clearing one unit before moving to the next. In order to accomplish the non-native vegetation removal, the Park Service proposes to use prescribed burns of large areas of fennel with subsequent applications of herbicides.

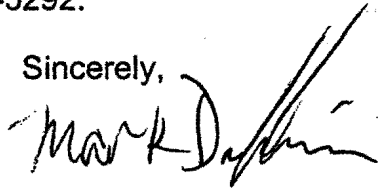
The proposed project will result in the restoration and enhancement of sensitive resources on Santa Cruz Island and will not have significant adverse effects on coastal zone resources. Feral pigs have resulted in the loss of native vegetation and the destruction of archaeological resources. In addition, feral pigs are attracting golden eagles, which are not native to the Channel Islands. In addition to hunting piglets, the golden eagles are hunting native island foxes, a sensitive species (listed as threatened by the state and a species of special concern by the federal government). In separate programs, the Park Service is removing golden eagles and reintroducing bald eagles, which are unlikely to hunt foxes and are territorial, so that they would exclude golden eagles. Removal of the feral pigs will eliminate a major attraction to Santa Cruz Island for golden eagles and will remove a major source of soil, vegetation, and archaeological site impacts. The

removal of non-native vegetation will allow the restoration of native habitats, which are damaged by the spread of non-native vegetation. The construction of fences, removal of feral pigs, use of prescribed burns, and application of herbicides may have some adverse effects on sensitive habitats and other resources. However, these impacts will not be significant and in the long run will result in significant improvements to native habitats and other coastal resources. In addition, the restoration plan may interfere with some public use of the island, but that effect will be temporary and the restoration of island resources would likely improve the public recreational experience on the island.

Therefore, the Commission staff agrees that the proposed project will not have significant adverse effects on coastal zone resources and **concurs** with the negative determination made pursuant to 15 CFR § 930.35. However, staff also notes that The Nature Conservancy is a partner in the restoration project. As a non-federal agency, its development activities are subject to the coastal development permit requirements of the Coastal Act. If The Nature Conservancy proposes any development in the coastal zone as part of this project, it may be required to apply for a permit. The Nature Conservancy should contact Santa Barbara County and the Commission's South Central Coast District office in Ventura ((805) 585-1800) to determine if a permit is required. If you have any questions about this negative determination concurrence, please contact James Raives of the Coastal Commission staff at (415) 904-5292.

Sincerely,

(for)


PETER M. DOUGLAS
Executive Director

cc: South Central Coast District

PMD/JRR

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June 5, 2002

Robert Wood
Naval Base Ventura County
ATTN: James Danza
311 Main Road, Suite 1
Point Mugu, CA 93042-5001

Subject: Negative Determination ND-031-02 (U.S. Navy, Point Mugu Cable Plant #2 Upgrade Project)

Dear Mr. Wood:

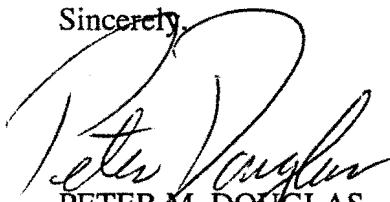
The Commission staff has reviewed the above-referenced negative determination for upgrades to the existing Point Mugu Cable Plant #2 communications system at Naval Base Ventura County (NBVC). The Navy proposes to install a Range Telecommunications Distribution System (RTDS) to provide improved voice, data, and video services to all NBVC range operations, supporting units, and other military commands, both onsite and offsite. The project includes inserting new cables in existing cable line conduits and repairing segments of existing damaged conduit, most of which are located underneath or adjacent to roads and upland areas. However, an 800-foot-long segment of damaged conduit to be repaired crosses underneath a Corps of Engineers-defined jurisdictional wetland located inland of the coastal zone boundary and northeast of the main east-west runway at Point Mugu. This wetland has no direct or indirect hydrologic connection to the ocean. The site is surrounded by roads and high ground on three sides and by the Oxnard Ditch #2 on the north, which overflows onto the site every three to five years. Shallow ground water, fine-grained soils, and poor drainage are responsible for the relatively xeric wetland found at this location.

The proposed repair work at this site involves: (1) flagging the existing pathway of the damaged underground conduit and a 15-foot-wide construction corridor; (2) excavating and saving in an on-site storage area the top nine inches of native soil for later reapplication as top soil, and excavating and saving trench materials for later backfilling; (3) repairing and/or replacing damaged conduit in the excavated trench; and (4) backfilling with soil and topsoil to return to original grade. The excavated trench will be 12 inches wide and 30 inches deep, and approximately 230 cubic yards of material will be temporarily excavated. Surface conditions vary along the 800-foot-long corridor; high salinity areas are mostly barren of vegetation while other areas support limited plant cover. By saving and replacing the top nine inches of top soil along the trench alignment, any plant seeds contained within should be able to germinate once

the area is saturated again next winter. In addition, adjacent undisturbed vegetation will serve as a source for plant regrowth in suitable soils along the trench corridor. Erosion control measures such as silt screens and temporary dams will be used to minimize surface transport of materials and storm runoff effects during construction.

The Commission staff agrees with the Navy that the 800-foot-long construction corridor is located outside the coastal zone because it is on federal land (which is excluded from the coastal zone) and is inland of the coastal zone boundary, and that the proposed conduit repair activities within this corridor will not adversely affect wetlands, water quality, or other marine habitat and resources within the coastal zone. We therefore concur with the negative determination made pursuant to 15 CFR 930.35(d) of the NOAA implementing regulations. Please contact Larry Simon of the Commission staff at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,



PETER M. DOUGLAS
Executive Director

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

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SAN FRANCISCO, CA 94105-2219
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June 13, 2002

Eric Stein
PCR
One Venture, Suite 150
Irvine, CA 92618-3328

Re: **NE-035-02** No Effects Determination, Orange County, Ocean Outlet maintenance,
four locations, Dana Point, Orange Co.

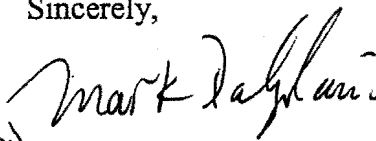
Dear Mr. Stein:

The Coastal Commission has received your request for a federal consistency authorization for the maintenance of four ocean outlets in Dana Point: Poche Beach outlet, Capistrano Beach outlets, and North Doheny Creek Outlet. The activities are similar to those being proposed by the County in coastal development permit application 5-02-031; however those covered in this No Effects request are in the City of Dana Point's local coastal permitting jurisdiction. The four outlet maintenance activities that are the subject of this No Effects determination are proposed to be implemented before the summer 2002 season. The County proposes at Poche and Capistrano Beaches to realign the flow channel to form a trapezoidal channel across the beach (perpendicular to the existing concrete outlet), occurring semiannually (once during the spring and once during fall). At North Doheny Creek the County proposes to create a sand berm at the outlet during summer months, which would be removed to allow flows during the rainy season. Any water ponding during the summer season would be diverted to the sewer system. Sand reconfiguration at all four outlets would take place using a bulldozer, and would take one day to implement.

The County is coordinating with the National Marine Fisheries Service to assure the activity will not affect steelhead habitat, and with the California Department of Fish and Game concerning grunion monitoring and avoidance. Work will not be scheduled during expected grunion runs, and grunions will be monitored. If grunions are present, work will not proceed unless it is supervised by a biological monitor. The project will not adversely affect environmentally sensitive habitat, including steelhead trout, tidewater goby, least tern, or snowy plover habitat. The project will benefit beach recreation and public access. The project will not affect sand supply to or at the beaches. The County will implement Best Management Practices and will monitor water quality. The City of Dana Point has granted coastal development permits for the outlet maintenance, the permits were within areas where they were appealable to the Commission, and the appeal period has run with no appeals being filed.

We agree with your "No Effects" letter 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,


(for) PETER M. DOUGLAS
Executive Director

cc: Long Beach Area Office (Anne Blemker)
Army Corps, Los Angeles District (Cori Farrar)

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June 3, 2002

D.B. Kemp, Captain
U.S. Navy
Assistant Chief of Staff
Port Operations
Commander Naval Region Southwest
937 No. Harbor Drive
San Diego, CA 92132-0058

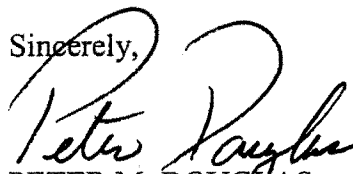
RE: **ND-039-02**, Negative Determination, Navy, Establishment of Restricted Zones,
Naval Air Station North Island, Coronado, San Diego Co.

Dear Captain Kemp:

The Coastal Commission staff has reviewed the above-referenced negative determination for the establishment of restricted areas to protect Navy vessels and property from terrorist activities. The restrictions are intended to enable the Navy to challenge and remove unauthorized vessels that could interfere with or threaten Navy operations. The restricted area would be within San Diego Bay waters immediately adjacent to the northern shoreline of the Naval Air Station North Island (NASNI) in Coronado.

These waters are located outside the main shipping channel and are not typically used for recreational or commercial boating, and the restrictions will not adversely affect navigation or boating in San Diego Bay. 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." Last fall, the Commission staff concurred with Coast Guard and Navy negative determinations (ND-88-01 and ND-099-01) for similar restrictions at NASNI and at the Naval Station San Diego (NSSD), the Naval Amphibious Base (NAB), and the Naval Supply Center (NSC) in San Diego. We therefore **agree** with the Navy that this project is similar to previously-concurred with negative determinations, and we hereby **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
City of Coronado
Department of Water Resources
Governor's Washington D.C. Office

