

CALIFORNIA COASTAL COMMISSION

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

RECORD PACKET COPY

**Tu 23****DATE:** July 12, 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

PROJECT #:	ND-036-02
APPLICANT:	NOAA
LOCATION:	Trinidad Head, Humboldt Co.
PROJECT:	Trailers and weather data collection devices
ACTION:	Concur
ACTION DATE:	06/27/2002

PROJECT #:	ND-038-02
APPLICANT:	Army Corps of Engineers
LOCATION:	Ventura Harbor, Ventura Co.
PROJECT:	Breakwater repair
ACTION:	Concur
ACTION DATE:	7/2/2002

PROJECT #:	ND-040-02
APPLICANT:	Navy
LOCATION:	Naval Amphibious Base, Coronado, San Diego Co.
PROJECT:	Construction of 2-story building
ACTION:	Concur
ACTION DATE:	06/21/2002

PROJECT #:	NE-041-02
APPLICANT:	Monterey Peninsula Water Management District
LOCATION:	Carmel River, Monterey Co.
PROJECT:	River channel maintenance and restoration
ACTION:	No Effects
ACTION DATE:	6/8/2002

PROJECT #:	ND-043-02
APPLICANT:	Navy
LOCATION:	Offshore of Ventura Co.
PROJECT:	Seafloor Restoration Test
ACTION:	Concur
ACTION DATE:	6/19/2002

CALIFORNIA COASTAL COMMISSION

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SAN FRANCISCO, CA 94105-2219
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June 27, 2002

Thanh Minh Trinh, Regional Environmental Compliance Officer
National Oceanic and Atmospheric Administration
7600 Sand Point Way N.E.
PO Box 15700
Seattle, Washington 98115-0070

Re: **ND-036-02** Negative Determination, National Oceanic and Atmospheric Administration,
Installation of mobile trailers, temporary access walkway, solar platform and scientific
and weather data collection instruments at Trinidad Head, Humboldt County

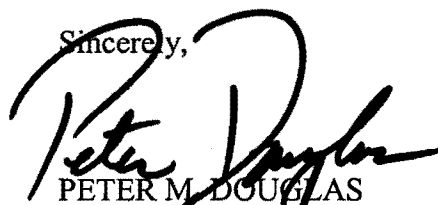
Dear Mr. Trinh:

The Coastal Commission staff has received the above-referenced negative determination for the installation of two mobile trailers, 150 feet of power line, temporary scaffolding and accessways, a solar platform and replacement of an existing 20 foot high wind tower at Trinidad Head, Humboldt County.

The project's temporary structures will be constructed to facilitate the installation of sampling instruments, and will be removed within six weeks of completion of the project. A wooden access walkway, 30 inches wide and 135 feet in length, will be constructed to facilitate the transfer of instruments and equipment from the mobile trailers. The existing 20 foot wind tower will be replaced with a 30 foot tower that will use the existing footprint and foundation. The project will not adversely affect scenic views as the project is visually similar to existing uses at the site.

The Commission staff agrees that the project will have no adverse impact to coastal resources. We therefore **concur** with your negative determination made pursuant to Section 15 CFR 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,


PETER M. DOUGLAS
Executive Director

cc: North Coast District Office

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
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VOICE AND TDD (415) 904-5200
(415) 904-5400



July 2, 2002

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

Subject: Negative Determination ND-038-02 (Ventura Harbor Detached Breakwater
Repair, Ventura County)

Dear Ms. Villalobos:

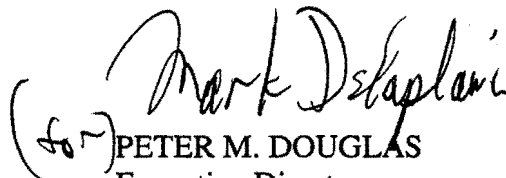
The Coastal Commission staff has reviewed the above-referenced negative determination for repairs to the detached breakwater at Ventura Harbor. On September 14, 1989, the Commission concurred with a consistency determination (CD-17-89) for construction of a shoreline protection project which included an extension of the existing detached breakwater. Since that time, the Commission has concurred with several modification and repair projects for the breakwater/groin/jetty system originally authorized in 1989. In this negative determination the Corps seeks concurrence to repair two wave-damaged sections of the detached breakwater by placing approximately 6,580 tons of quarry rock in order to return the structure to its original design slope and footprint. Rock will be shipped to the site by barge if an island source is used, or by truck and barge if an inland source is used. The Corps will use an empty lot owned by the Ventura Harbor District as the project staging area, a site used by the Corps for previous dredging and repair projects at Ventura Harbor. Construction is expected to take 60 days and occur between June and September 2002.

The project will not adversely affect California least terns or western snowy plovers. The placement of new quarry rock on the detached breakwater will occur during a portion of the least tern nesting season. While there is a designated least tern nesting area at the north side of the mouth of the Santa Clara River (one mile south of Ventura Harbor), and while terns forage in nearshore and harbor waters adjacent to the breakwater, the repair work will not increase ocean turbidity in nearshore or harbor waters and therefore will not affect the ability of terns to forage in these areas. No construction activity will occur on or adjacent to sandy beaches at the mouth of the Santa Clara River (south of Ventura Harbor) which have in the past supported snowy plover nests, and therefore the project will not affect snowy plovers. The California Department of Fish and Game and the National Marine Fisheries Service concurred with the Corps' determination that the proposed project will not adversely affect threatened or endangered species or the environmentally sensitive habitat that support such species. Public recreation

impacts from barge movements and repair activities will be minimal, and the breakwater repair will improve navigation safety.

The project constitutes repair-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 or similar to activities for which consistency determinations have been prepared in the past." As discussed previously in this letter, we have concurred with similar consistency and negative determinations for the construction of and various repairs and modifications to the original shoreline protection project (ND-097-00, ND-76-00, ND-83-97, ND-21-94, ND-35-92, CD-168-97, CD-104-96, CD-17-89). We therefore concur with your negative determination for the repair project made pursuant to Section 15 CFR 930.35 of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 if you have any questions regarding this matter.

Sincerely,


(for) PETER M. DOUGLAS
Executive Director

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

CALIFORNIA COASTAL COMMISSION

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



June 21, 2002

J.P. Rios
Naval Air Station, North Island
Box 357033
San Diego, CA 92135-7033

Attn: Eric Haase

RE: ND-040-02, Construction of a two-story, 31,323-square-foot cement masonry building at the Naval Amphibious Base, Coronado.

Dear Mr. Rios:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The Navy proposes to construct a two-story, 31,323-square-foot cement masonry building at the Naval Amphibious Base, Coronado. The Navy will construct the building in an area already developed with similar buildings. The project also requires the partial demolition of a building and the complete demolition of five other buildings. The Navy proposes to use the building for applied instruction and equipment maintenance. From the information presented, the Commission staff concludes that the proposed project will not affect coastal uses or resources. For military security reasons, there is no public access to the shoreline in the vicinity of the project, and thus it will not affect access to and use of the coast. In addition, the building is visually consistent with the development in the vicinity of the project and will not interfere with public views of the coast. The project is located in an already developed area and does not require any significant amount of new grading or paving. The Navy will use appropriate best management practices to prevent adverse water quality effects from the project. Therefore, the project will not affect water quality or habitat resources of the coastal zone.

In conclusion, the Coastal Commission staff agrees that the proposed project will not adversely affect coastal resources. We, therefore, **concur** with the negative determination made pursuant to 15 CFR § 930.35. If you have any questions, please contact James Raives of the Coastal Commission staff at (415) 904-5292.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter M. Douglas".

(for) PETER M. DOUGLAS
Executive Director

cc: San Diego Coast District

PMD/JRR

CALIFORNIA COASTAL COMMISSION

REMONT STREET, SUITE 2000
FRANISCO, CA 94105-2219
DEPARTMENT (415) 904-5200



July 8, 2002

Larry Hampson
Monterey Peninsula Water Management District
5 Harris Court, BLDG. G
P.O. Box 85
Monterey, CA 93942-0085

RE: **NE-041-02**, No-Effects Determination for the river channel maintenance and restoration, Carmel River, Monterey County.

Dear Mr. Hampson:

The Coastal Commission has received and reviewed the above-referenced consistency submittal. The Monterey Peninsula Water Management District (District) is requesting concurrence with its determination that the proposed 10-year Regional General Permit (RGP) from the U.S. Army Corps of Engineers for channel maintenance and river restoration activities on the Carmel River, Monterey County, will not affect coastal uses or resources. The District has modified its Corps permit application to exclude areas within the coastal zone. The RGP will authorize the following activities:

1. Installing limited erosion protection in unstable and degraded areas;
2. Reestablishing riparian vegetation along stream banks and adjacent areas;
3. Maintenance or repairs of previously authorized restoration activities;
4. Fisheries enhancement projects;
5. Limited removal of vegetation and debris from the active channel;
6. Lowering or removal of levees;
7. Reestablishing a functional floodplain adjacent to the channel bottom; and
8. Increasing sinuosity (length) of the low-flow channel.

The project does **not** include the following activities:

1. Channelization for flood control;
2. Lining of the main stream with rock rip-rap, concrete rubble, or other permanent erosion protection, except where structures or public improvements may be threatened by bank erosion, or in project areas where restoration of riparian functions is the primary goal; or
3. Grade control installation.

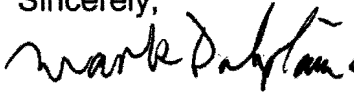
In addition to the District's projects, it will act as an agent for other publicly and privately sponsored projects that qualify for authorization under the RGP. The District will assume responsibility for screening applicants, conducting pre-project evaluations, and inspecting project sites after completion. The District will also be responsible for the preparation of annual notification/compliance reports. These reports will describe all projects constructed under the RGP for a given year, include evaluation forms prepared for each project, and provide project specific information.

The primary concerns for coastal zone impacts from the proposed RGP are effects on steelhead trout, red-legged frogs, riparian vegetation, and water quality. Through the federal Endangered Species Act Section 7-consultation process, the District is working with both the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to develop measures to protect stream resources. These measures include the following:

1. Implementation of Best Management Practices to control sediment from construction activities;
2. Implementation of mitigation measures to protect sensitive species and habitat;
3. A 3:1 replacement ratio for impacts to riparian vegetation; and
4. Long-term monitoring of topography, vegetation, and aquatic and wildlife species.

For projects inland of the coastal zone boundary, the Commission staff reviews them for effects on coastal uses or resources. In this case, the project will not substantially alter stream or habitat resources, includes appropriate mitigation measures, and incorporates monitoring and reporting. Thus, the Coastal Commission staff agrees that the proposed RGP will not significantly affect coastal zone resources, and therefore, **concurs** 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 James Raives of the Coastal Commission staff at (415) 904-5292.

Sincerely,



(for)

PETER M. DOUGLAS
Executive Director

cc: Central Coast District
Bob Smith, Corps of Engineers

PMD/JRR

CALIFORNIA COASTAL COMMISSION

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



June 19, 2002

Jill Lomeli
Environmental Planning Team
Naval Facilities Engineering Service Center
Department of the Navy
1100 23rd Ave.
Port Hueneme, CA 93043-4370

RE: **ND-043-02** Negative Determination, Seafloor Restoration Test
Offshore of Rincon Island/Punta Gorda, Ventura County

Dear Ms. Lomeli:

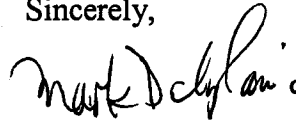
The Coastal Commission staff has received the above-referenced negative determination for the Navy's proposal to conduct one day tests of seafloor disturbance restoration equipment, approximately 2 n.mi. south of Rincon Island in Ventura County. The purpose of the tests is to study fiber optic cable site disturbance restoration capabilities. The tests are in part a result of mitigation requirements imposed on Global Crossing for a cable placed through the Olympic Coast National Marine Sanctuary offshore of Washington State. The Navy is participating by designing, testing and evaluating improved seafloor restoration tools and techniques to restore seafloor test sites to a condition that is indistinguishable from that which existed before conducting operations at the site. The tests would include digging a one ft. deep, 2-4 in. wide, 1000 ft. long trench, and then restoring the site to the extent possible to pre-disturbance conditions, using a chain-mat device, a drag device (enhanced with water-jet assist to move and "randomize" the seafloor soil), and a grading device. The tests would last four days, with two days for the actual disturbance/restoration activities.

A survey boat will conduct a thorough acoustic survey (side scan sonar, and sub-bottom profiler) of the portion of the work site where restoration tests were conducted. A final site survey will be conducted after a period of 30 - 45 days, to determine what effect, if any, environmental forces have on restoring the seafloor to its natural condition.

The project has the potential to benefit the marine environment, once the results of the tests are used to improve enhance fiber optic cable restoration practices. The project will avoid hard bottom and kelp bed habitat, and the project will not adversely affect marine resources, navigation, water quality, environmentally sensitive habitat, public views, or public access and recreation.

We **agree** with the Navy that the project will not affect coastal resources, and 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,

A handwritten signature in black ink, appearing to read "Peter M. Douglas". The signature is written in a cursive style with a large initial "P" and "D".

PETER M. DOUGLAS
Executive Director

cc: Ventura Area Office
Corps of Engineers, L. A. District (Mark Cohen)