

CALIFORNIA COASTAL COMMISSION

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

RECORD PACKET COPY

**W7****DATE:** September 17, 2003**TO:** Coastal Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director
Elizabeth A. Fuchs, Manager, Statewide Planning and Federal Consistency Division
Mark Delaplaine, Federal Consistency Supervisor

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

PROJECT #:	ND-055-03
APPLICANT:	Department of the Navy
LOCATION:	Naval Station, San Diego
PROJECT:	Modular Hybrid Pier Test Bed
ACTION:	Concur
ACTION DATE:	8/29/2003

PROJECT #:	ND-066-03
APPLICANT:	Department of the Navy
LOCATION:	Arnold Rd., Point Mugu, Ventura Co.
PROJECT:	Repair and upgrade existing fence
ACTION:	Concur
ACTION DATE:	8/28/2003

PROJECT #:	ND-074-03
APPLICANT:	National Park Service
LOCATION:	Point Reyes National Seashore, Marin Co.
PROJECT:	Removal of buildings
ACTION:	Concur
ACTION DATE:	9/4/2003

PROJECT #:	ND-079-03
APPLICANT:	Corps of Engineers, San Francisco District
LOCATION:	San Pedro Creek, San Mateo Co.
PROJECT:	Modifications to Flood Control and Wetlands Ecosystem Restoration Project
ACTION:	Concur
ACTION DATE:	9/11/2003

PROJECT #:	NE-080-03
APPLICANT:	Caltrans
LOCATION:	Highway 1 at Bolinas Lagoon, Marin Co.
PROJECT:	Clearing of culverts
ACTION:	No effect
ACTION DATE:	9/11/2003

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August 28, 2003

James Pecos
Acting Public Works Officer
Naval Base Ventura County
311 Main Road, Suite 1
Point Mugu, CA 93042-5001

Attn: Jim Danza

RE: **ND-066-03**, Negative Determination, Navy, Arnold Rd. Fence Repair, Naval Base
Ventura County


Dear Mr. Pecos:

The Coastal Commission staff has received the above-referenced negative determination for the repair of the existing fence perpendicular to the shoreline adjacent to Arnold Rd. along the western boundary of the Naval Base Ventura County at Point Mugu. The existing fence has been damaged to the extent that it no longer provides security for the base. The fence would also help protect snowy plovers from disturbance by the public.

The project consists of digging a 180 ft. long, 8 ft. deep and 6 ft. wide trench in the sand for fence footings. The trench will be backfilled after below grade fencing and I-beam fence posts are installed. The fence will be 12 ft. high above the sand level, topped by 3 feet of barbed wire. As was the case with the existing fence, the fence will extend into the surf at the low tide level.

The project would not adversely affect any sensitive wildlife species and installation will occur outside the snowy plover nesting season. Biological monitors will be present during fence installation. Public access and visual impacts will be no different than those posed by the existing fence; in any event access preclusions on the base are warranted due to military security needs. We agree with the Navy that this project would not adversely affect coastal zone 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,

(for) 

PETER M. DOUGLAS
Executive Director

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

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August 29, 2003

Jo Ellen Anderson
Department of the Navy
Naval Facilities Engineering Command, Southwest Division
2585 Callagan Hwy. Bldg 99
San Diego, CA 92132-5180

Attn: Christine Tuttle

RE: **ND-055-03**, Negative Determination for the Modular Hybrid Pier Test Bed, Naval Station, San Diego.

Dear Ms. Anderson:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The Navy proposes to install and test a "Modular Hybrid Pier." The pier consists of two approximately 50 feet by 50 feet double-deck modules linked together. The floating modules are made primarily of lightweight concrete. The Navy will fabricate and assemble the modules offsite and then tow them to the proposed test site in San Diego Bay, Pier I and Chollas Creek at the Naval Station San Diego. In addition, the Navy will construct an access ramp from the module to the adjacent quaywall. The Navy will use the test piers to test and validate specific subsystems related to vessel mooring and mooring response to various stress factors and to demonstrate the ability to accurately position and join the modules and module components. The Navy will require about 45 days over a one-year period to conduct structural and hydrodynamic testing. In addition, the Navy will monitor the durability of the structure and subsystem components for several decades.

The Navy does not propose any dredging for this project. However, the Navy's project requires pile driving for the installation of a two-point mooring system. The first point of the mooring system requires eight concrete piles spaced about eight feet apart in a square pattern. Each of these piles will include a pile cap and a five-foot diameter mooring shaft. The Navy will use a cofferdam to install these piles. The second mooring point is a single one-foot diameter concrete mooring shaft driven approximately 40 feet into the seabed (no other piles, pile cap, or cofferdam would be required for this second mooring point). The Navy will begin construction in December 2003 and complete it within one to two months. In the future, the Navy intends to use the pier for the berthing of tug vessels, while it continues long-term monitoring of material and component durability. Although the Navy describes the pier as "temporary," it does not have any plans to remove the pier.

Although the proposed project includes the placement of fill into San Diego Bay for the installation of piles, this effect is not significant. The proposed pier is located within the Naval Station San Diego, which is developed with several piers, used for Navy shipping activities, and is dredged regularly. The proposed test site consists of soft-bottom habitat with sandy and silty substrate and it does not have any eelgrass or other vegetation. In addition, this area does not support the California least tern, sea turtles, or other sensitive species. Since the amount of fill is small (just that necessary to support the piles), the project's effect on marine

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September 4, 2003

Don L. Neubacher
National Park Service
Point Reyes National Seashore
Point Reyes, CA 94956

RE: **ND-074-03**, Negative Determination for the removal of buildings, Jensen Oyster Site, Tomales Bay, Golden Gate National Recreational Area, Marin County.

Dear Mr. Neubacher:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The proposed project includes removal of several buildings along the Tomales Bay shoreline. Before the acquisition of the area by the National Park Service, these structures were part of the Jensen Oyster Company. Several of the buildings are deteriorated and in danger of collapsing into Tomales Bay. The Park Service will remove these buildings using backhoe, loader, and escalator from upland roads. The Park Service will not use any heavy equipment below mean high tide. After the Park Service demolishes the buildings, it will remove the material and dispose of it at an appropriate landfill. Finally, the Park Service will implement the following Best Management Practices to minimize the project's effects on water quality resources:

1. Temporary placement of plastic fencing to ensure debris does not enter the water;
2. Removal of all hazardous material prior to the demolition of the structures;
3. Immediate removal of any debris from any water area; and
4. Staging of equipment at a parking site away from Tomales Bay.

The proposed project will not significantly affect coastal resources. The National Park Service owns the area and the removal of these buildings are part of a plan to enhance public use of the area. The project will improve water quality and habitat resources by removing structures that are likely to fall into the bay. Additionally, the Park Service's project includes measures to minimize construction-related impacts to habitat and water quality resources. In addition, the Park Service's documentation indicates that although the buildings are over 50 years old, they do not have any historic integrity and that the State Historic Preservation Office has concurred with the project. Finally, the project will restore the natural scenic character of the site and will benefit visual resources.

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September 11, 2003

Peter LaCivita, Acting Chief
Environmental Planning Section
U.S. Army Corps of Engineers
333 Market Street
San Francisco, CA 94105-2197

Attn: Bill DeJager

Re: **ND-079-03**, Corps of Engineers, Negative Determination for modifications to previously concurred with flood control/wetland restoration project, San Pedro Creek, Pacifica, San Mateo Co.

Dear Mr. LaCivita:

On May 11, 1999, the Coastal Commission concurred with consistency determination CD-31-99 for a combined flood control/wetland restoration project in San Pedro Creek in Pacifica. The original project included restoration of approximately 10 acres of wetland/riparian habitat from the outlet of the bypass channel downstream to the Pacific Ocean. The Commission previously noted:

Restoration of this area will create a floodplain able to accommodate a 100-year flood event and will also improve riparian and wetland habitat. Approximately nine acres will be graded and revegetated east of Highway 1; an additional one-acre area will be established to the west of the highway.

...

Mitigation measures include timing construction to avoid steelhead trout migrations, minimizing erosion and siltation into San Pedro Creek by working only during the dry season and by using silt screens and sediment basins, and developing a mitigation and monitoring plan. Because of the net overall benefit to coastal resources from the project and because measures have been taken to reduce temporary impacts, the project is consistent with the marine and sensitive resource policies of the Coastal Act (Sections 30231 and 30240).

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September 11, 2003

Kathleen Stycket
Caltrans, District 4
111 Grand Ave.
P.O. Box 23660
Oakland, CA 94623-0660

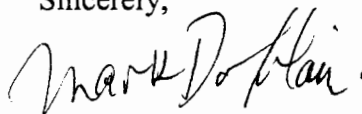
RE: **NE-080-03**, Caltrans, Culvert Maintenance, Highway 1, Stinson Beach, Marin Co.

Dear Ms. Stycket:

The Coastal Commission staff received your August 27, 2003, letter requesting Commission concurrence with a consistency certification for culvert clearance at 45 locations along Highway 1, adjacent to Bolinas Lagoon, in Stinson Beach, Marin County.

The project sites are located within the Coastal Commission's coastal development permitting jurisdiction. Caltrans asserts that it is exempt from having to obtain a Commission-issued coastal development permit based on the Commission's regulations providing exemptions for repair and maintenance activities described in the Repair, Maintenance and Utility Hookups, adopted by the Commission on September 5, 1978. The Coastal Commission nevertheless retains federal consistency authority because the project requires a federal (Army Corps) individual or nationwide permit. Nevertheless, we believe it is appropriate to waive federal consistency jurisdiction for this repair project. This decision assumes Caltrans' compliance with the resource protection measures contained in its submittal, including measures to protect steelhead habitat, avoid activities during rainy conditions, and dispose of the material outside the coastal zone at authorized sites. Based on this waiver we agree with Caltrans' "No Effects" determination for this project. Please call Mark Delaplaine of my staff at (415) 904-5289 if you have any questions.

Sincerely,


(fms) PETER M. DOUGLAS
Executive Director

cc: North Central District Office
Army Corps, S.F. District