

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT STREET, SUITE 2000  
SAN FRANCISCO, CA 94105-2219

PHONE AND TDD (415) 904-5200



**RECORD PACKET COPY**

**W 10**

**DATE: January 15, 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]**

<b>PROJECT #:</b>	ND-061-02
<b>APPLICANT:</b>	Department of the Navy
<b>LOCATION:</b>	Point Mugu, Naval Base Ventura County
<b>PROJECT:</b>	Extended Aircraft Parking Apron
<b>ACTION:</b>	Concur
<b>ACTION DATE:</b>	12/20/2002

<b>PROJECT #:</b>	ND-075-02
<b>APPLICANT:</b>	Department of the Navy
<b>LOCATION:</b>	Naval Base Ventura County
<b>PROJECT:</b>	Repair of existing wharf and upgrade utilities services
<b>ACTION:</b>	Object
<b>ACTION DATE:</b>	12/20/2002

<b>PROJECT #:</b>	ND-086-02
<b>APPLICANT:</b>	Bureau of Reclamation
<b>LOCATION:</b>	6060 Casitas Pass Rd., Carpinteria, Santa Barbara Co.
<b>PROJECT:</b>	Construction of cover to existing reservoir
<b>ACTION:</b>	Concur
<b>ACTION DATE:</b>	1/09/2003

PROJECT #:	ND-091-02
APPLICANT:	Department of the Navy
LOCATION:	Naval Base Coronado, San Diego Co.
PROJECT:	Underwater Swimmer Detection System
ACTION:	Concur
ACTION DATE:	1/14/2003

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VOICE AND TDD (415) 904-5200



December 20, 2002

Robert Wood  
Department of the Navy  
Naval Base Ventura, Public Works Department  
311 Main Road, Suite 1  
Point Mugu, CA 93042-5001

Attn: James Danza

RE: **ND-061-02**, Negative Determination for the Extended Aircraft Parking Apron, Point Mugu, Naval Base Ventura County

Dear Mr. Wood:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The Navy is proposing to extend an existing aircraft parking apron adjacent to its airfields at Point Mugu, Naval Base Ventura County. The extension will provide parking for five aircraft and allow the entire area to accommodate 12 E-2C aircraft (not including four aircraft in the hangar). The proposed project includes the following components:

- Demolishing existing concrete building slabs, one small concrete block building, and fences;
- Paving 4.3 acres (187,308 square feet) with concrete;
- Placing a culvert underneath the proposed apron extension to allow continuation of any tidal water flow to existing wetland areas located northeast (upstream) of the proposed project location;
- Installing three fixed-point utility systems, constructing catch basins to control storm water runoff, and relocating apron-to-taxiway lighting; and
- Resurfacing an existing apron area (approximately 2,200 square yards [0.45 acre]) in the southern portion of the proposed project location.

The Navy may conduct minor aircraft maintenance activities, such as adding aircraft fluids, on aircraft parked on the apron, but would not conduct any fluid changes or re-fueling. The Navy will not wash the aircraft on this apron, rather it would continue to conduct this activity at the designated washrack adjacent to Hangar 553, approximately 300 feet from the proposed project location. Based on Navy safety requirements, it will only park aircraft on the new apron when space is unavailable on the existing apron closer to the hangar.

Under the proposed action, the Navy would not change the current aircraft operations at Point Mugu. Specifically, there would be no increase in the number of aircraft assigned to the base, nor would there be an increase in the number or length of operations. The Navy believes that the existing apron areas are

inadequate as they provide barely enough room for E-2C aircraft to operate, resulting in detrimental effects to personnel and aircraft safety, operational efficiency, aircraft longevity, and combat readiness. Additionally, the area in front of Hangar 553 is not large enough to facilitate servicing and maintaining E-2C aircraft and also provide sufficient space to park these planes.

After a thorough review, the Commission staff has concluded that the proposed project will not significantly affect coastal uses and resources, including public access and recreational uses, development patterns, water quality resources, and wetland habitat of the coastal zone. The proposed project is located on federal land, which, pursuant to the federal Coastal Zone Management Act (CZMA), is excluded from the coastal zone. In such cases, the Commission staff evaluates the project for effects to resources and uses of the coastal zone.

### **Wetland Resources**

The proposed project includes the permanent fill of 0.4 acres (17,424 square feet) and temporary impacts to 0.1 acres (4,356 square feet) of wetlands. These wetlands are tidally connected to Mugu Lagoon. Historically, the wetlands were likely part of Mugu Lagoon, but many years ago, the Navy graded and filled the area, leaving channels, such as this one, available to carry runoff into Mugu Lagoon. These wetlands are also hydraulically connected to wetlands upstream of the proposed project. Despite the loss of wetland habitat from this project, the proposed wetland fill will not significantly affect coastal resources.

The Commission staff has a presumption that loss of wetlands, even if they are on federal land, is an effect on coastal resources and in most instances triggers the need for a consistency determination. However, in this case the wetlands have very little habitat value, are isolated from other wetlands by existing development, and the hydrologic functions of this wetland will be preserved. Additionally, the Navy will restore three times as much wetland as affected by the project in an area adjacent to Mugu Lagoon.

The Navy describes the wetlands affected by the project as a drainage ditch with steep banks and vegetated with a combination of native wetland plants, iceplant, and upland species. The Navy describes this vegetation as follows:

*Wetland vegetation exists only at the base of the channel, within 0.5 m of the surface of the standing water. Saltgrass is the predominant wetland vegetation on the east side of the drainage ditch mixed with iceplant (non-native) and coyote brush (upland). Pickleweed, alkali heath, and saltgrass are the predominant wetland vegetation types on the west side of the drainage ditch mixed with iceplant (non-native). The remaining areas (approximately 2.5 m) within the channel on both sides of the drainage ditch are predominately covered with iceplant and non-native grasses, except for a few isolated areas where wetland vegetation extends up to the top of the channel bank.*

The non-wetland portion of the site is vegetated with non-native species, mostly iceplant. Neither the wetland nor the uplands support any endangered, threatened, or otherwise sensitive species. As described above, the aircraft parking apron site is completely surrounded by existing development. That development includes runways, hangars, taxiways, and parking aprons. The maintenance and aircraft use of these adjacent sites further degrades the habitat value of the site. These adjacent uses also serve to isolate the wetlands from other habitat areas on the base.

The Navy will maintain the wetland values of the area by preserving the hydraulic connections between Mugu Lagoon and upstream wetlands and through restoration of wetland habitat adjacent to Mugu Lagoon. The drainage channel on this site provides a tidal connection between wetlands upstream and Mugu Lagoon. The Navy will preserve this hydraulic link through the use of culverts beneath the project site. Therefore, the project will not affect the upstream wetlands. Additionally, the Navy will replace the lost wetlands by restoring 1.2 acres (52,272 square feet) of wetland habitat adjacent to Mugu Lagoon. The Navy has already restored a large area of wetlands that it intends to use as a mitigation bank. The Navy restored 19.88 acres of wetland habitat at this bank in 1997. On going monitoring indicates that the restoration efforts succeeded in creating functioning wetlands.

As described above, the Commission staff believes that the wetland impacts from this project will not be significant. Specifically, the wetlands consist of a degraded drainage channel completely surrounded by development. Additionally the hydraulic functions of the wetlands will be preserved through the placement of a culvert and the Navy has created new wetlands to replace those affected by this project. Therefore, the Commission staff has determined that the proposed project will not significantly affect wetland resources and will not affect coastal zone resources.

### **Water Quality Resources**

In addition, the proposed project will not significantly affect water quality resources. Although it will increase impervious surfaces on the base, the increase is insignificant when compared to the amount of impervious surfaces already in this area. Additionally, the project will not result in significant discharges of non-point sources pollution. Only five planes will be parked on the apron. These planes must be maintained in near perfect condition in order to meet the Navy's combat readiness needs, and thus the planes are not likely to discharge pollutants. The parking apron will not be used for major maintenance or any fueling activities. Minor maintenance activities include adding some fluids when necessary, but the volumes of the fluids will be small and will not be a significant source of pollution if spilled. All aircraft washing activities will occur at a designated washrack and will not occur on the apron. Finally, the project includes the placement of an insert in the storm drain that will prevent any chemical spills from entering coastal waters. Based on these considerations, the Commission staff concludes that the project will not affect water quality resources.

### Concentration of Development and Visual Resources

In addition, the Navy will construct the project in an area already developed with similar uses. The proposed project is located in the middle of the Point Mugu Naval Air Station and is surrounded by related developments including runways, taxiways, aircraft parking aprons, and aircraft hangers. Therefore, the proposed project is similar in nature to the existing development near the project site. In addition, the proposed project is visually similar to other development in the area, and thus is consistent with the visual character of the area. Even if the project affected the visual resources of the area, the base is closed to public use and is not visible from any public area. Therefore, the project would not affect visual resources.

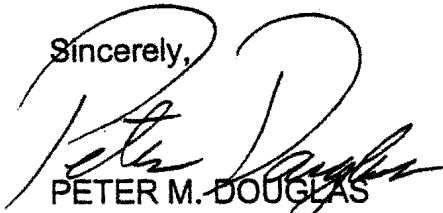
### Public Access and Recreational Resources

Finally, the project will not affect public access and recreational resources of the coastal zone. Although the proposed project is located between the first public road and the sea, the shoreline of the Point Mugu facility of the Naval Base Ventura County is closed to the public use in order to maintain military security. Therefore, the project will not affect existing public access and recreational resources of the coastal zone.

### Conclusion

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

Sincerely,



PETER M. DOUGLAS  
Executive Director

cc: South Central Coast District

PMD/JRR

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December 20, 2002

Robert Wood  
Department of the Navy  
Naval Base Ventura, Public Works Department  
311 Main Road, Suite 1  
Point Mugu, CA 93042-5001

Attn: James Danza

RE: **ND-075-02**, Negative Determination for the repair of existing wharves and upgrading of utilities services, Naval Base Ventura County, Port Hueneme Area.

Dear Mr. Wood:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The Navy proposes the following activities:

*The proposed construction is to be conducted for the purpose of repairing and upgrading the existing wharf facilities. The wharves size will not be increased. Proposed construction will consist of new utility systems, piling and fenders to meet berthing requirements, power, and "cold iron" requirements at Wharves 3, 4, 5, & 6. The "cold iron" features will include below deck potable water, sewer, and electrical service for ships berthed at these wharves. The base electrical service will be upgraded to support the additional wharf and site demands, including additional exterior lighting and cabling to shore power, and other related miscellaneous utilities such as telephone and telecommunications equipment.*

*The upgrade of electrical service will provide at least one power box (4800 amp) at each of wharves 3 and 4 and one box (4800 amp) at the wharf 5 and 6 locations. The proposed construction will also provide sewer and water lines to each wharf. Any existing lines will be upgraded to handle increased loads.*

*The project will also provide for the installation of a new fendering system at Wharves 3, 4, 5, & 6 using an advanced technology fendering system such as plastic composite or reinforced concrete with fiber composite materials to replace the existing chemically treated wood fenders, piles, and camels. New piles will be driven in new positions adjacent to existing piles. Old piles will be cut and removed.*

*Construction will also entail resurfacing and repairing the concrete and asphalt mobilization areas. All construction will meet seismic zone 4 requirements.*

Although the project includes measures to minimize water quality impacts from the proposed repair of the wharves, the Commission staff is concerned about the use of plastic pilings in the marine environment from the deterioration of the pilings and subsequent increase in marine debris. The Commission staff understands that the project involves removing deteriorating chemically treated wood pilings, and thus the Navy will reduce an existing impact to water quality resources. The Commission staff has also reviewed the water quality effects from the use of recycled plastic composites. The composites are made from used bottles collected at curbside for recycling. This material is comprised of approximately 80% polyolefin content (polyethylene and polypropylene), with the remaining percentages made of polyethylene terephthalate, polystyrene, polyvinyl chloride, and other plastics. In a leach test only minor amounts of copper, iron, and zinc leached from the plastic. None of the contaminants had a concentration significant enough to have any adverse effects on the marine environment. Additionally, in a study comparing the toxic effects of plastics to treated wood, the researchers concluded that *"in all these experiments with four different species of estuarine organisms, the recycled plastic proved to be far less toxic material than the treated wood."*<sup>1</sup>

However, the Commission staff is concerned about the proposed project because of its potential to add plastic debris to the marine environment. Since plastic is an inorganic material, it does not biodegrade, but rather continually breaks down into ever-smaller pieces. The presence of plastics in the coastal and ocean environment is both widespread and harmful to human and marine life.

An article, written by Jose G.B. Derraik, entitled "The pollution of the marine environment by plastic debris: a review," reviews much of the literature published on the topic of deleterious effects of plastic debris on the marine environment. The article states:

*The literature on marine debris leaves no doubt that plastics make-up most of the marine litter worldwide.*<sup>2</sup>

In support of this statement, the article includes a table that presents figures on the proportion of plastics among marine debris around the world. In most of the locations listed on the table, plastics represented more than 50 percent of the total marine debris found.<sup>3</sup>

Existing studies clearly demonstrate that plastic debris creates problems for marine life. Plastic marine debris affects at least 267 species worldwide, including 86% of all sea turtle species, 44% of all sea bird species, and 43% of marine mammal species.<sup>4</sup> For example, plastics cause significant adverse impacts in seabirds, when birds mistakenly ingest the plastic debris. A study performed in 1988, concluded that seabirds consuming large amounts of plastics reduced their food consumption, which limited their

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<sup>1</sup> Toxicity of Construction Materials in the Marine Environment; Weis, Peddrick; Weis, Judith; Greenberg, Arthur; and Nosker, Thomas; Archives of Environmental Contamination and Toxicology; 1992.

<sup>2</sup> Derraik, Jose. "The pollution of the marine environment by plastic debris: a review," Marine Pollution Bulletin," 44: 842-852, 2002.

Marine Debris - Sources, Impacts and Solutions. Springer-Verlag, New York, 99-139, 1997..

<sup>3</sup> Ibid

<sup>4</sup> Laist, D. W. "Impacts of marine debris: entanglement of marine life in marine debris including a comprehensive list of species with entanglement and ingestion records," Coe., J.M., Rogers, D. B. (Eds.)



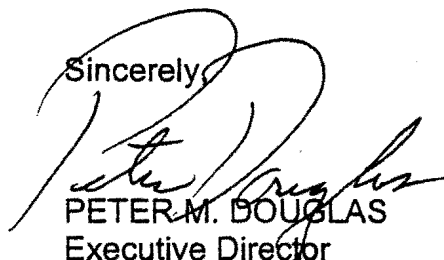
ability to lay down fat deposits and in turn reduced fitness. In addition, ingesting plastics can block gastric enzyme secretion, diminish feeding stimulus, lower steroid hormone levels, delay ovulation, and cause reproductive failures.<sup>5</sup> Plastic debris that has settled on the seabed floor also harms the biological productivity of coastal waters. In Derriak's article, he states:

*The accumulations of such [plastic] debris can inhibit gas exchange between the overlying waters and the pore waters of the sediments, and the resulting hypoxia or anoxia in the benthos can interfere with the normal ecosystem functioning, and alter the make-up of life on the sea floor. Moreover, as for pelagic organisms, benthic biota is likewise subjected to entanglement and ingestion hazards.*<sup>6</sup>

There are no examples that staff can identify that document the deterioration rate of this plastic. If the proposed pilings were installed, they would be exposed to ultra violet radiation. The plastic contains stabilizers that are intended to protect it from degradation that may result from UV exposure. Notwithstanding the protection provided by the stabilizers, the potential does exist that the plastic would degrade over time. If the plastic piles were to become brittle, they may splinter upon impact and would introduce plastic debris into the coastal waters, and thus would adversely affect water quality resources. The plastic debris resulting from the proposed project would degrade the water quality and pose threats to the wildlife in the ocean. Thus the project would result in significant adverse impacts to the biological productivity and quality of coastal waters.

In conclusion, the Coastal Commission staff **disagrees** with the Navy's conclusion that the proposed project will not adversely affect coastal zone resources. The Commission staff, therefore, objects to 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,



PETER M. DOUGLAS  
Executive Director

cc: South Central Coast District

PMD/JRR

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<sup>5</sup> Derraik, Jose. "The pollution of the marine environment by plastic debris: a review," *Marin Pollution Bulletin*, 44: 842-852, 2002.

<sup>6</sup> *Ibid*

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VOICE AND TDD (415) 904-5200



January 9, 2003

Lynne Silva  
South-Central California Area Office  
Bureau of Reclamation  
1243 N St.  
Fresno, CA 93721-1813

Re: **ND-86-02** Negative Determination, Bureau of Reclamation, Carpinteria Reservoir Upgrade Project, Carpinteria, Santa Barbara County

Dear Ms. Silva:

The Coastal Commission staff has received the above-referenced negative determination for the construction of a cover and other water quality improvement measures at the existing uncovered Carpinteria Valley Water District (CCWD) Reservoir, located 0.25 miles north of Casitas Pass Road in Carpinteria. The project includes installation of a temporary water tank. The proposed cover would be constructed of aluminum, with a maximum height of 22.5 ft. above average finished grade. The aerial extent of the cover would be 2.6 acres.

The Bureau of Reclamation owns and operates the water system, including the reservoir and the land on which it is located. The CCWD has elected to undertake the project in furtherance of its responsibility under state law for maintaining water quality in the reservoir. The CCWD will have responsibility for operating and maintaining the reservoir cover. The project has been the subject of a coastal development permit application to Santa Barbara County, which was submitted by the Carpinteria Valley Water District. As we noted in concurring with ND-24-02 (Bureau of Reclamation, Ortega Reservoir cover, Montecito Water District), because of the significant degree of non-federal involvement in the project by the water district as a project proponent, and as the entity that will construct, operate, and maintain the reservoir cover, these Montecito and Carpinteria reservoir cover projects are subject to the permit requirements of the California Coastal Act. In this situation, the CCWD has received a Santa Barbara County-issued coastal development permit for this project (file no. 02CUP-00000-00062), and the appeal period has run with no appeals filed with the Coastal Commission (file no. 4-STB-02-258).

Based on Santa Barbara County's analysis in its coastal development permit: (1) the project includes a detention basin protect Carpinteria Creek from increased runoff, and the project engineers have submitted an analysis assuring that post-project runoff would not exceed pre-project conditions; (2) the project includes an erosion and stormwater pollution prevention plan to address other water quality concerns, disturbed areas would be revegetated as soon as is

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FAX (415) 904-5400



January 14, 2003

Captain D.R. Landon  
Commanding Officer  
Naval Air Station North Island  
ATTN: William Crouse  
Box 357033  
San Diego, CA 92135-7033

Subject: Negative Determination ND-091-02 (Underwater Swimmer Detection System, Naval Base Coronado, San Diego).

Dear Captain Landon:

The Coastal Commission staff has received the above-referenced negative determination for installation of the Underwater Swimmer Detection System (USDS) within the San Diego Bay security zone at Naval Base Coronado, San Diego. The Navy berths aircraft carriers at this location, and the Commission has previously concurred with consistency determinations to upgrade carrier berthing facilities here and, subsequent to September 11, 2001, to establish enhanced security zones and construct boat barriers in the adjacent waters of San Diego Bay to protect Navy vessels. The Navy states in the Draft Environmental Assessment for the USDS project that:

*The purpose of the Proposed Action is to enhance the underwater swimmer detection capability at NAVBASE Coronado to prevent injury to personnel and damage to naval ships and property from sabotage or other subversive acts. Underlying need for the Proposed Action is to address concerns or threats to U.S. Naval Forces following the attack on the USS Cole and other recent terrorist attacks.*

The USDS involves the in-water installation and operation of between four and eight multibeam imaging sonar units. The Kongsberg SM 2000 sonar units are commercially available and variations are used for bathymetric surveys and fisheries applications. The USDS units will be bottom-mounted on tripods at various locations within 400 feet of the carrier wharves, with the top of the sonar unit approximately four feet above the bay bottom, and at locations that provide adequate vertical clearance between the unit and vessel keels. Each tripod will be secured to the bottom with three anchors driven into the underlying sediment. Underwater electrical/optical cables connecting the sonar units to a central shoreside instrumentation trailer will be buried in a one-foot-deep trench. The Navy estimates that between 800 and 1,600 feet of cable trench will

be required, depending on the number of sonar units, and that no more than 20 cu.yds. of sediment will be temporarily displaced from the two to four trenches required for cable installation.

The Navy states that the sonar emits a 90 kHz, 200 microsecond pulse with a one second interval at a source level of 206 dB re 1  $\mu$ Pa. At one yard from the source, sound pressure level drops to 170 dB, at three yards from the source pressure drops to 159 dB, and at 100 yards from the source pressure drops to 140 dB. The 90 kHz USDS sonar frequency is well above the hearing range of fish, sea turtles, humans, and most marine mammals. Marine mammal species in San Diego Bay include harbor seals, sea lions, and bottlenose dolphins. The 90 kHz USDS sonar frequency is within the echolocation range of several dolphin species, such as the Pacific bottlenose dolphin. Dolphins use echolocation signals to hunt for prey and avoid obstacles. The bottlenose dolphin transmits a broadband signal in the same general frequency and with a similar source level as the USDS sonar. Underwater hearing ranges reported for bottlenose dolphins range from 1 to 150 kHz, with peak sensitivities between 40-100 kHz. However, given the rapid attenuation of the high frequency sonar signal associated with the proposed USDS sonar and the low density of marine mammals (particularly bottlenose dolphins) in the project area capable of hearing the high frequency signal emitted by the USDS sonar, the Navy determined that proposed USDS operations would not adversely affect marine mammals.

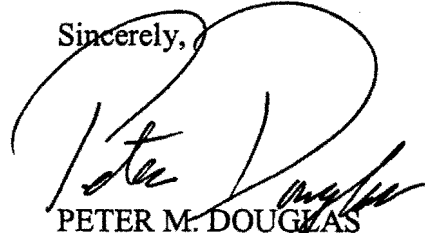
The National Marine Fisheries Service commented on the Draft Environmental Assessment for the project and concluded that:

*Because the USDS operates at very high frequency levels, the coastal bottlenose dolphin is the only marine mammal species in the area likely to be able to detect the sound pulses emitted by the sonar units. Although bottlenose dolphins may be found in north San Diego Bay, this area has been frequently dredged, is likely degraded, and is therefore probably not an important source of forage fish for these species. Given the low probability of bottlenose dolphins in the area and the calculated average sound pressure levels emitted by the sonar unit (159 dB re 1  $\mu$ Pa at 3 yards), the likelihood that these species may be "taken" (including harassed) by the continuous operation of USDS is low. (National Marine Fisheries Service, December 18, 2002.)*

The San Diego Regional Water Quality Control Board concluded that the minor trenching operations associated with the proposed USDS sonar installation "would be of little consequence to San Diego Bay water quality in an area affected by prop wash and which has been recently dredged" and "will not affect the beneficial uses of San Diego Bay" (SDRWQCB, October 28, 2002). The installation and operation of the USDS sonar units (including the bay-floor trenching) will not affect endangered or threatened species, environmentally sensitive habitat (including eelgrass beds or foraging waters for the California least tern or western snowy plover), or essential fish habitat. Finally, if the Navy determines at a future date that operation of the USDS sonar units is no longer required, the sonar units, tripod supports, and cables will be removed from the bay-floor.

The Commission staff agrees with your conclusion that the proposed USDS project will not adversely affect marine mammals or other coastal resources in San Diego Bay. We therefore concur with your negative determination for this 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 black ink, appearing to read "Peter Douglas", written over a large, stylized circular flourish.

PETER M. DOUGLAS  
Executive Director

cc: San Diego Coast District Office  
Corps of Engineers – Los Angeles  
U.S. Coast Guard – San Diego  
California Department of Water Resources  
Governor's Washington, D.C., Office

