

CALIFORNIA COASTAL COMMISSION

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



RECORD PACKET COPY

Fr 7**DATE:** March 19, 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-085-02
APPLICANT:	Department of the Navy
LOCATION:	Naval Base Ventura County, Port Hueneme, Ventura Co.
PROJECT:	Construction of 25,466 sq.ft. building and demolition of 8 existing Quonset huts
ACTION:	Concur
ACTION DATE:	2/11/2003

PROJECT #:	ND-089-01
APPLICANT:	U.S. Coast Guard
LOCATION:	Coast Guard Station, Monterey Harbor, Monterey Co.
PROJECT:	Installation of floating dock
ACTION:	Concur
ACTION DATE:	2/18/2003

PROJECT #:	ND-092-02
APPLICANT:	U.S. Coast Guard
LOCATION:	Coast Guard Station Bodega Bay, Sonoma Co.
PROJECT:	Construction of a new building
ACTION:	Concur
ACTION DATE:	2/19/2003

PROJECT #:	ND-001-03
APPLICANT:	Corps of Engineers, Los Angeles District
LOCATION:	Mission Bay, San Diego
PROJECT:	Mission Bay Jetty and Revetment Repair Project
ACTION:	Concur
ACTION DATE:	2/18/2003

PROJECT #:	ND-002-03
APPLICANT:	Department of the Navy
LOCATION:	Naval Base Ventura County, Port Hueneme, Ventura Co.
PROJECT:	Repair of existing wharf
ACTION:	Concur
ACTION DATE:	2/19/2003

PROJECT #:	ND-003-03
APPLICANT:	Department of the Navy
LOCATION:	Naval Base Point Loma, San Diego
PROJECT:	Addition to existing building
ACTION:	Concur
ACTION DATE:	3/19/2003

PROJECT #:	ND-005-03
APPLICANT:	Corps of Engineers, San Francisco District
LOCATION:	San Francisco Main Ship Channel, San Francisco Co.
PROJECT:	Maintenance Dredging with disposal at SF-8
ACTION:	Concur
ACTION DATE:	2/20/2003

PROJECT #:	ND-006-03
APPLICANT:	National Park Service
LOCATION:	Cabrillo National Monument, San Diego
PROJECT:	Construction of Museum Storage Facility
ACTION:	Concur
ACTION DATE:	3/11/2003

PROJECT #:	NE-008-03
APPLICANT:	Caltrans, District 11
LOCATION:	Interstate 5 and State Route 54, National City and Chula Vista, San Diego, Co.
PROJECT:	Install maintenance Vehicle Pullouts and gore paving
ACTION:	No effect
ACTION DATE:	2/24/2003

PROJECT #:	ND-009-03
APPLICANT:	Corps of Engineers, Los Angeles District
LOCATION:	Oceanside, San Diego Co.
PROJECT:	Maintenance dredging with beach disposal
ACTION:	Concur
ACTION DATE:	3/12/2003

PROJECT #:	ND-011-03
APPLICANT:	U.S. Postal Service
LOCATION:	Town of Caspar, Mendocino Co.
PROJECT:	Construction of relocated mailbox area
ACTION:	Concur
ACTION DATE:	2/24/2003

CALIFORNIA COASTAL COMMISSION

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AND TDD (415) 904-5200



February 11, 2003

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

Re: **ND-085-02** Negative Determination, U.S. Navy, construction of a 25,466 square foot two-story building, and demolition of eight Quonset huts at Port Hueneme, and construction of a 1,955 square foot single-story building and parking area at Point Mugu.

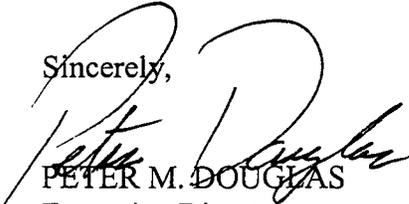
Dear Mr. Danza:

The Coastal Commission staff has received the above-referenced negative determination for the construction of two buildings and the demolition of eight Quonset huts located at Port Hueneme and Point Mugu. The project also consists of the removal of abandoned underground utilities, and new exterior lighting and landscaping improvements.

Avoidance and mitigation measures to contain contaminants, construction materials and debris will be incorporated in the project. Erosion control measures such as silt screens and temporary dams will be utilized if necessary, to minimize the transport of material during construction.

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,


PETER M. DOUGLAS
Executive Director

CALIFORNIA COASTAL COMMISSION

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February 18, 2003

Dave Stalters
U.S. Coast Guard
Attn: Roy Clark
Civil Engineering Unit Oakland
2000 Embarcadero, Suite 200
Oakland, CA 94606-5337

RE: **ND-089-01**, Negative Determination, Floating Dock at Government
Breakwater, Coast Guard Station Monterey

Dear Mr. Stalters:

The Coastal Commission staff has received the above-referenced negative determination for the installation of a concrete floating dock at the Coast Guard Station Monterey. The project consists of adding seven, 14 inch diameter new piles adjacent to the existing dock at the end of Government Breakwater, and attaching a new, 140 ft. by 10 ft. floating dock and a gangway to the existing dock. The project is needed because the existing dock provides substandard access for the Coast Guard's 87 ft. long patrol boat HAWKSBILL.

No creosote will be contained in the piles, which will be concrete or steel. A barge-mounted crane will be used for pile driving. A bottom survey has been prepared; no eelgrass will be affected, and kelp impacts would be minimal and self-mitigating. A biologist will be on site during construction to assure marine mammal effects will be minimized. Sea lion impacts will be minimized by the Coast Guard's agreement to limit construction to the summer months, when the fewest numbers of sea lions are present. On an overall basis, the project will benefit access and recreation by improving public safety and emergency response capabilities.

In consultation with the National Marine Fisheries Service (NMFS), the Coast Guard has agreed to implement measures to reduce the potential for harassment from installation of the floating dock. These measures consist of: (1) limiting work to daylight hours; (2) minimizing loud noises and restricting the amount of equipment on the pier in close proximity to the sea lion haulout to be out of sight of the sea lion haulout site and to be the minimum necessary to effectively perform the work; (3) maintaining a NMFS-approved biological monitor on site to assure minimization of marine mammal disturbances; (4) avoiding exposing pinnipeds to unsafe noise levels, including maintaining a 50 meter (164 ft.) preclusion area around the pile-driving site (and with the

provision that if any marine mammal enters the zone, operations will cease); and (5) operating the pile driver at quieter modes (i.e., 50 percent of the maximum in-air noise level) prior to actual pile driving to give animals advance notice of sound and enable them to voluntarily move from the area.

Also as required by NMFS, the Coast Guard will prepare monitoring reports, including documenting any disturbance reactions, and marking the 50-meter safety zone with temporary buoys in order to facilitate monitoring efforts. The monitor will submit weekly reports to NMFS during construction, as well as a final report at the conclusion of the project. The Coast Guard has agreed to forward the final report to the Commission staff as well.

In conclusion, the construction period will be relatively short term and the project will not adversely affect marine resources, water quality, environmentally sensitive habitat, or public access and recreation. Therefore, we agree that the proposed project will not adversely affect coastal zone resources, and we 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,



(fer) PETER M. DOUGLAS
Executive Director

cc: Santa Cruz Area Office
Department of Water Resources
Governor's Washington D.C. Office
Corps of Engineers, S.F. District
NOAA, Lyn Preston
Nautical Data Branch, NOAA
N/CS26 Station 7350
1315 East West Highway
Silver Spring, MD 20910

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February 19, 2003

Dave Stalters
U.S. Coast Guard
Civil Engineering Unit Oakland
2000 Embarcadero, Suite 200
Oakland, CA 94606-5337

Attn: Louis Rivero

RE: **ND-092-02**, Negative Determination for the construction of a new building
at the Coast Guard Station Bodega Bay, Sonoma County.

Dear Mr. Stalters:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The Coast Guard proposes to construct a new 1,800 square-foot single story building at the Bodega Bay Coast Guard Station. The building will be similar in design and scale to the existing buildings on site and will not affect visual resources of the coastal zone. The project is located between two parking lots on an area that does not contain native habitat. It is vegetated with non-native grasses and does not support any sensitive habitat resources, and thus the project will not affect environmentally sensitive habitat resources of the coastal zone. Finally the project is located approximately 250 feet from Bodega Bay and does not drain directly into the bay. In addition, there are other paved areas and buildings located between the project and the bay and the project will not significantly increase the amount of impervious surfaces on the property. Finally, the Coast Guard will use appropriate Best Management Practices to minimize runoff during construction. Therefore, the project will not significantly affect water quality resources of the coastal zone.

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,

Mark DeLommi
(for) PETER M. DOUGLAS
Executive Director

cc: North Central Coast District
PMD/JRR

CALIFORNIA COASTAL COMMISSION

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February 18, 2003

Ruth Bajza Villalobos
Corps of Engineers, Los Angeles District
Planning Division
P.O. Box 532711
Los Angeles, CA 90053-2325

Attn: Larry Smith

RE: **ND-001-03**, Negative Determination for the Mission Bay Jetty and
Revetment Repair Project, San Diego.

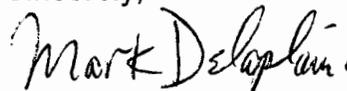
Dear Ms. Villalobos:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The Corps proposes to restore the middle jetty at the entrance of Mission Bay to its original design. The Jetty was substantially damaged during El Niño storms of 1997-1998. The Corps proposes to replace approximately 4,000 tons of stone along 150 feet of the jetty to restore it to its original height of 14 feet above mean lower low water. In addition, the Corps proposes to repair a small section of the revetment near Mariners Basin in Mission Bay. The Corps will use approximately 100 tons of rock to rebuild this revetment to its original configuration. The environmental assessment for the project includes maintenance dredging as part of the proposed project. However, the Corps' negative determination specifies that the submittal to the Commission does not include the maintenance dredging and that the Corps will submit a consistency determination for the dredging when it is ready to proceed with that part of the project.

Since the Corps proposes to restore the jetty and revetment to their original configuration, the project will not create any new effects on coastal resources. The project will cover marine habitat that has been established within the project footprints. However, the new rock will provide surface area to replace the lost habitat. The existing jetty and revetment have ongoing effects on natural shoreline processes and the proposed repairs will not significantly change those effects. Finally, the project will not significantly affect public access and recreational uses. The area of the jetty affected by the project is submerged and does not provide any recreational use. However, the jetty repairs will improve navigation at the entrance of the bay and benefit recreational boating. At the revetment site, the existing structures already interfere with use of the shoreline, and the project will not significantly change the impact. The project may temporarily interfere with existing uses of the shoreline during construction, but these impacts will not be significant.

In conclusion, the Coastal Commission staff agrees that the proposed project will not have significant adverse effects on coastal resources and uses. The Commission staff, therefore, concurs 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,



(for)

PETER M. DOUGLAS
Executive Director

cc: San Diego Coast District

PMD/JRR

CALIFORNIA COASTAL COMMISSION

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February 18, 2003

Commander D.H. Boothe
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-002-03**, Negative Determination for wharf repair and upgrading, Naval Base
Ventura County, Port Hueneme Area.

Dear Commander Boothe:

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.

The proposed project will not change the existing military uses of the site or expand the size of the wharves. The current military uses of these wharves preclude public use of the area for military security and public safety reasons. Thus, the proposed project will not affect public access to the shoreline or recreational use of the coastal zone. The project will not

result in an increase in size of the existing wharves or an increase number of pilings. In addition, the project site does not provide habitat for endangered, threatened, or other sensitive species. Therefore, the project will not adversely affect habitat resources of the coastal zone.

Additionally, the project includes measures to minimize water quality impacts from the proposed repair of the wharves. By removing deteriorating chemically treated wood pilings, 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 recycled plastic. 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.*"¹ Thus, the replacement of treated wood pilings with plastic pilings will reduce contaminants in marine waters.

In addition, the Commission staff investigated the weathering effects of the plastic lumber. In another study on this material, the researchers concluded that "*UV degradation is not much of a threat.... The improved flexural properties of the NJCT [recycled plastics] deck boards after weathering over the period of eleven years offers promising results concerning RPL [recycled plastic lumber].*"² Although this report provides some evidence that the plastic lumber will not significantly deteriorate, it is not entirely relevant to the proposed project because the researchers did not study plastic lumber in marine waters. In the marine environment, the plastic lumber may be more likely to crack, splinter, or otherwise contribute to marine debris. In addition, the large Naval ships berthed at these wharves may add additional stresses to the material and increase the likelihood that the material will contribute to the marine debris problem. However, the Navy has addressed this issue by modifying its negative determination to monitor the plastic lumber and provide reports to the Commission staff. Specifically, the Navy has added the following language to its negative determination:

Navy Base Ventura County (NBVC) will monitor the new plastic pilings, fenders, camels, other pier structures within and adjacent to the marine environment installed as part of this project for cracks, deterioration, abrasions, and other conditions that

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

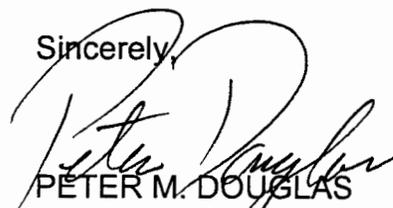
² Weathering Effects on Mechanical Properties of Recycled HDPE Based Plastic Lumber; Lynch, Jennifer; Nosker, Thomas; Renfree, Richard; Krishnaswamy, Prabhat; Francini, Robert; Proceedings from the Annual Technical Conference for the Society of Plastic Engineers, 2001; <http://www.sperecycling.org/Papers/Papers.htm>.

may contribute plastic debris to the marine environment. At least every five years for fifteen years, NBVC will provide the Executive Director of the Commission with a report describing the monitoring results. NBVC acknowledges that if these monitoring reports or other information relative to the performance of plastic pilings in the marine environment indicate that plastic materials such as those used in the project adversely affect marine water quality, marine habitat, or other coastal uses or resources, the Commission has the authority pursuant to regulations implementing the Coastal Zone Management Act to reopen this negative determination (see 15 CFR § 930.45(b)).

Based on this change, the Commission staff concludes that the project incorporates measures to address potential coastal zone effects if the plastic lumber should deteriorate over time. Therefore, the Commission staff concludes that the proposed project will not affect water quality resources of the coastal zone.

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 § 930.35. If you have any questions, please contact James Raives of the Coastal Commission staff at (415) 904-5292.

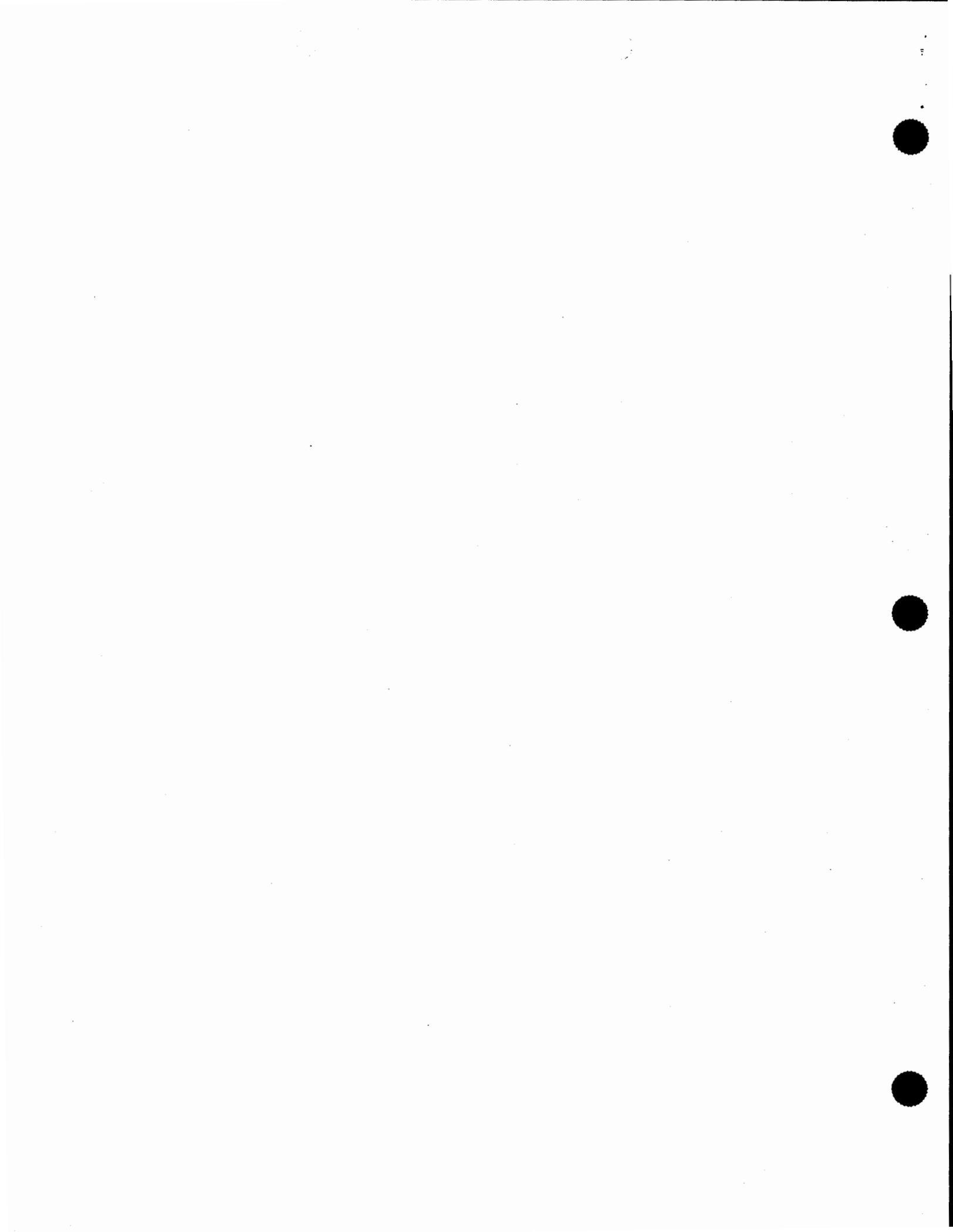
Sincerely,



PETER M. DOUGLAS
Executive Director

cc: South Central Coast District

PMD/JRR



CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
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March 19, 2003

Paige K. Hoffman
Public Works Officer
Naval Base Point Loma
140 Sylvester Road
San Diego, California 94105-2219

Re: ND-003-03 Negative Determination, U.S. Navy, construction of a 2,500 square foot single story addition to an existing building, at Naval Base Point Loma, San Diego County

Dear Ms. Hoffman:

The Coastal Commission staff has received the above-referenced negative determination for the construction of a 2,500 square foot addition to building No. 377, located at the Space and Naval Warfare Systems Center, San Diego. The Navy proposes to construct a 40 foot wide by 62.5 foot long addition. From the information provided, the Commission staff concludes that the proposed project will not affect coastal uses or resources. The proposed project will not be between the first public road and the sea, and is located on a military base, which is closed to public access for military security reasons. Therefore, the project will not affect access to the shoreline or recreational uses of the coastal zone.

In addition, the building will be visually consistent with the adjacent structure in similarity of color, texture and style, and will not interfere with public views of the coast. The project is located in a previously developed area, which does not contain any environmentally sensitive habitat values.

The Commission staff agrees that the proposed project will not adversely affect any coastal zone 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,

A handwritten signature in cursive script that reads "Mark DeGlamis".

(for)

PETER M. DOUGLAS
Executive Director

cc: San Diego District Office

CALIFORNIA COASTAL COMMISSION

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February 20, 2003

Roderick A. Chisholm, II
Chief, Environmental Section
San Francisco District
U.S. Army Corps of Engineers
ATTN: Roger Fernwood
333 Market Street
San Francisco, CA 94105-2197

Subject: ND-005-03 (Maintenance dredging of San Francisco Main Ship Channel).

Dear Mr. Chisholm:

The Commission staff has reviewed the above-referenced negative determination. The proposed project involves maintenance dredging of approximately 450,000 cubic yards of material with disposal at SF-8, an authorized dredged material disposal site for material dredged from the Main Ship Channel. Sediment testing performed in 2002 indicated that material from the Main Ship Channel contains between 98.6 and 100 percent sand by weight and is relatively free of chemical contaminants. The proposed disposal at SF-8, located just south of the Main Ship Channel, will benefit local sand supply. This site is located within the littoral system and sand placed there will serve to replenish down coast beaches. In addition, the Commission has previously reviewed and authorized maintenance dredging of the Main Ship Channel with disposal at SF-8 (CD-2-87, CD-12-88, ND-4-93, ND-4-95, ND-10-98, ND-18-00, ND-9-01, and ND-004-02). The proposed project is similar in size and scope to these previously reviewed projects.

In conclusion, the Commission staff agrees with the Corps' determination that the proposed project will not significantly affect coastal resources and that it is the same as or similar to previously reviewed projects. We therefore concur with your negative determination for the project made pursuant to Section 15 CFR 930.35 of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,

Mark Delaplaine
(for) PETER M. DOUGLAS
Executive Director

cc: North Central District Office

CALIFORNIA COASTAL COMMISSION

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March 11, 2003

Terry DiMattio
National Park Service
Cabrillo National Monument
P.O. Box 6670
San Diego, CA 92106

Attn: Terry DiMattio

RE: **ND-006-03**, Negative Determination for the construction of a Museum Storage Facility, Cabrillo National Monument, San Diego.

Dear Mr. DiMattio:

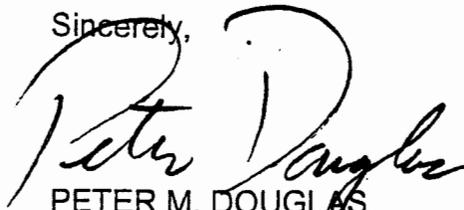
The Coastal Commission staff has received and reviewed the above-referenced negative determination. The Park Service proposes to build a single-story, 2,016 square-foot, cement block museum storage facility at the Cabrillo National Monument, Point Loma. The building will be located within an existing fenced maintenance compound on the east side of Cabrillo Memorial Drive. The purpose of the building is to provide an adequate, environmentally-controlled storage room, artifact treatment area and office for the monument's growing collection of cultural and natural history artifacts.

The Commission staff agrees with the Park Service's conclusion that the proposed project will not significantly affect coastal uses or resources. The project is located in an already developed area that includes other maintenance buildings and is similar in design to the existing buildings. In addition, the project will not block any coastal views. Therefore, the project will not affect visual resources of the coastal zone. In addition, the project will not affect habitat resources of the coastal zone. The project is located within the existing perimeter of a paved area that does not provide any habitat resources. However, the project may include impacts to native vegetation outside of the fenced area. If such impacts occur, the Park Service will re-plant native vegetation in the disturbed areas after it completes construction of the building, and therefore, the project will not have any long-term habitat effects. Finally, the project will not affect public access or recreational resources of the coastal zone. The project is located in an existing maintenance area and will not interfere with recreational use of or public access to the coastal zone. Additionally, the project replaces existing uses and will not increase use of the area or increase traffic within or to the coastal zone.

In conclusion, the Coastal Commission staff agrees that the proposed project will not adversely affect coastal zone resources. We, therefore, concur 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,

A handwritten signature in black ink that reads "Peter Douglas". The signature is written in a cursive style with a large, prominent initial "P".

PETER M. DOUGLAS
Executive Director

cc: San Diego Coast District

PMD/JRR

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February 24, 2003

Bruce L. April, Chief
Environmental Stewardship Branch
CALTRANS District 11
ATTN: Roberta LaFrate
P.O. Box 85406
San Diego, CA 92186-5406

Subject: NE-008-03 (Maintenance and new construction on I-5 and SR-54 in National City and Chula Vista, San Diego County).

Dear Mr. April:

The Commission staff received your January 29, 2003, letter requesting Commission concurrence with your consistency certification for the above-referenced project. The proposed project includes installation of maintenance vehicle pull-outs, gore paving, renovation of landscaping and irrigation equipment, and installation of highway artscaping using decorative rock, sculpture, pavers, and other decorative treatments to aesthetically improve the right-of-way along I-5 and SR-54 and at their interchange. The western half of the proposed project is located within the coastal zone and within the Coastal Commission's appeal jurisdiction. On December 10, 2002, the City of Chula Vista approved a coastal development permit for that portion of the proposed Caltrans project located within its city limits. On December 16, 2002, the City of National City approved a coastal development permit for that portion of the proposed Caltrans project located within its city limits. Neither permit decision was appealed to the Coastal Commission.

The Coastal Commission staff has decided not to act on this consistency certification. This decision is based on the fact that the project received coastal development permits from the cities of Chula Vista and National City that addressed all relevant coastal resource issues. Pursuant to regulations implementing the Coastal Zone Management Act, the Commission's concurrence in your consistency certification "shall be conclusively presumed" if the Commission does not either concur or object to that certification (15 CFR §930.62(a)). Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,


(for) PETER M. DOUGLAS
Executive Director

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

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
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March 12, 2003

Ruth Bajza Villalobos
Corps of Engineers, Los Angeles District
Planning Division
P.O. Box 532711
Los Angeles, CA 90053-2325

Attn: Larry Smith

RE: **ND-009-03**, Negative Determination for maintenance dredging with beach disposal, Oceanside Harbor.

Dear Ms. Villalobos:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The Corps proposes to dredge approximately 250,000 cubic yards of sandy material from Oceanside Harbor and dispose of it onto Oceanside Beach, south of the municipal pier. This project is similar to projects previously approved by the Commission. In 1990, the Commission concurred with a consistency determination for a six-year dredging program for Oceanside Harbor (CD-008-90) that included beach disposal. In 1994, the Coastal Commission concurred with another consistency determination for a similar six-year maintenance dredging program (CD-053-94). Finally, in 2000, the Commission staff concurred with a negative determination (ND-075-00) for a one-year extension of the previously approved dredging program.

The proposed project will not adversely affect water quality, sand supply, beach recreation, and habitat resources of the coastal zone. The Corps' sediment analysis concludes that the dredge material consists primarily of clean sand that is suitable for beach replenishment uses. Therefore, the dredging will not adversely affect water quality resources because the sediment is not contaminated and this sandy dredge material will only have short-term and localized increases in turbidity. Additionally, the Corps proposes to use the sand for replenishment purposes. Therefore, the project will not affect sand supply resources. In addition, the use of the material for beach replenishment will benefit recreational use of the beach. Finally, the Corps will complete the dredging prior to the beginning of the California least tern and western snowy plover nesting season, and thus the project will not affect these federally listed endangered and threatened species. In addition, the project's effects to benthic and sandy-beach habitat will be short-term and not significant. Therefore, the project will not affect habitat resources of the coastal zone.

In conclusion, the Coastal Commission staff **agrees** that the proposed project will not adversely affect coastal zone resources. We, therefore, concur 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,

A handwritten signature in black ink, appearing to read "Peter Douglas", written in a cursive style.

PETER M. DOUGLAS
Executive Director

cc: San Diego Coast District

PMD/JRR

CALIFORNIA COASTAL COMMISSION

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



February 24, 2003

Kayode F. Kadara
U.S. Postal Service
Pacific Facilities Service Office
395 Oyster Point Boulevard
South San Francisco, CA 94099-0300

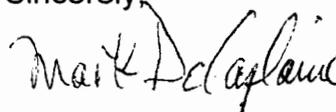
Attn: Kayode Kadara

RE: **ND-011-03**, Negative Determination for the relocation of mailboxes, Town of Caspar's Community Center, Mendocino County.

Dear Mr. Kadara:

The Coastal Commission staff has received and reviewed the above-referenced negative determination. The Postal Service proposes to construct a 200 square-foot concrete pad and relocate 144 mailboxes to the site. The existing mailboxes are located on private land that is no longer available for use by the Postal Service. The Postal Service in coordination with the community proposes to relocate the mailboxes to an unpaved parking lot adjacent to the Caspar Community Center. The project site is not located in an area that will affect access to the shoreline. The project is visually consistent with the developed nature of the community center. Finally, the site does not provide habitat for sensitive species. Therefore, the Coastal Commission staff agrees that the proposed project will not adversely affect coastal zone resources and 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,


(for) PETER M. DOUGLAS
Executive Director

cc: North Coast District

PMD/JRR

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