

CALIFORNIA COASTAL COMMISSION

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



RECORD PACKET COPY

F 12**DATE: June 18, 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-028-03
APPLICANT:	Department of the Air Force
LOCATION:	Vandenberg Air Force Base, Santa Barbara Co.
PROJECT:	Modifications to 13th Street Bridge to improve structural integrity
ACTION:	Concur
ACTION DATE:	6/5/2003

PROJECT #:	NE-031-03
APPLICANT:	San Luis Obispo County, Department of Public Works
LOCATION:	Cambria, San Luis Obispo Co.
PROJECT:	Installation of a new culvert
ACTION:	No effect
ACTION DATE:	6/5/2003

PROJECT #:	ND-039-03
APPLICANT:	Immigration and Naturalization Service
LOCATION:	Yogurt Canyon, Border Field State Park, San Diego
PROJECT:	Construction of 130' by 16' road with rip rap adjacent to primary border fence
ACTION:	Concur
ACTION DATE:	5/27/2003

PROJECT #:	NE-043-03
APPLICANT:	Caltrans, District 5
LOCATION:	North Jameson Lane, Montecito, Santa Barbara Co.
PROJECT:	Construction of a Bike Lane in each direction along North Jameson Lane
ACTION:	No effect
ACTION DATE:	6/17/2003

PROJECT #:	ND-044-03
APPLICANT:	Corps of Engineers
LOCATION:	Port of Los Angeles, Los Angeles Co.
PROJECT:	Dredge contaminated material and place it in previously approved containment site
ACTION:	Concur
ACTION DATE:	5/29/2003

PROJECT #:	ND-046-03
APPLICANT:	Department of the Navy
LOCATION:	Naval Base Point Loma, San Diego
PROJECT:	Construction of replacement research lab
ACTION:	Concur
ACTION DATE:	6/5/2003

PROJECT #:	ND-049-03
APPLICANT:	Department of the Navy
LOCATION:	Offshore of Camp Pendleton Marine Corps Base, San Diego Co.
PROJECT:	Advanced Deployable System Test
ACTION:	Concur
ACTION DATE:	6/5/2003

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June 5, 2003

Denise Caron
Department of the Air Force
Environmental Management
30th Space Wing
30 CES/CEV
806 13TH Street, Suite 116
Vandenberg AFB, CA 93437-5242

RE: **ND-028-03**, Negative Determination, U.S. Air Force, 13th Street Bridge Repairs, Santa Ynez River, Vandenberg Air Force Base, Santa Barbara Co.

Dear Ms. Caron:

The Coastal Commission staff has received the above-referenced negative determination for the strengthening of the 13th St. Bridge on Vandenberg Air Force Base (VAFB). The Air Force proposes temporary shoring along the five most northerly piers of the bridge to increase its strength and allow it to accommodate the load of the MLV-14 (an Atlas transported satellite) and its transporter. The 13th St. Bridge is the only feasible route between north and south VAFB for these types of payloads. The Air Force states mission critical needs require it to move the MLV-14 from the north base processing facility to the south base Atlas Launch Pad (SLC-3 E) by September 2003.

The bridge has been weakened by many years of erosion and scour around the structural piers, especially at the northern abutment. The Air Force maintains that the bridge is at its crossing threshold limit, which is the maximum allowable weight limit according to the operational stress ratio for the MLV-14 launch. The Air Force also maintains that alternate routes are unacceptable due to: the large number (over 100) of overhead obstacles (power lines) to allow 65 feet of vertical clearance; safety and security issues involved in the hazard of transporting a fueled payload on public roads near private, civilian residences, and through the US Bureau of Prisons Complex; and security issues generally involved in traveling longer distances and outside the Air Force base.

The project is the second part of a 3-part bridge strengthening program. The three parts consist of: (1) an already performed (December 2002) short term repair project involving placing riprap around the 3 most northerly piers and the northern abutment; (2) the subject interim strengthening project; and (3) a future, more extensive, long-term bridge retrofit project (not part of this negative determination), which will involve additional piles to strengthen the bridge piers, additional steel support beams, concrete, and riprap, and a pile retard system intended to force the river into a more southerly alignment through retaining debris and slowing flow velocities. (The Air Force notes that this latter system has been successfully implemented upstream along the Santa Ynez River.) The intent of the third part is to last until the Air Force can fund and construct a new bridge across the river. The Air Force has published a Draft Environmental Assessment analyzing, in one document, all three

project parts. However, this negative determination only seeks authorization for part two. The Commission staff declined to assert consistency jurisdiction for the first part of the project last winter, due to the emergency nature at the time, the project's location outside the coastal zone, and the lack of impacts to coastal zone resources. Biological monitoring conducted during this activity documented that impacts to sensitive species were non-existent or minimal.

The proposed temporary shoring would consist of installing and bracing eight support beams between the five most northerly bridge piers (i.e., between bridge piers 5 and 9). Supporting sediment (taken from bars upstream) and rocks would be placed around each support beam (the depth of sediments/rocks would be between 1-3 ft.). The area to be disturbed would essentially be the same as that disturbed during the previous emergency riprap placement; thus no new vegetation or soil disturbance is involved. The temporary equipment access road would be in the same area that vehicles traveled during the emergency repair; thus, no new access road disturbance area would be created. The project will necessitate temporary redirection of the river's flow, using a 60 inch diameter, 400 ft. long culvert.

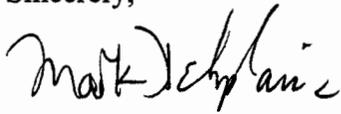
The Air Force has coordinated with the U.S. Fish & Wildlife Service (USFWS) and NOAA Fisheries Service (NMFS). Mitigation and avoidance measures include:

- maintaining a biological monitor on site during all construction, and developing restoration and monitoring for all affected areas;
- to the degree feasible, removing any invasive exotics (such as the invasive giant reed *Arundo donax*) from the project area;
- involving biologists approved by the U.S. Fish & Wildlife Service (USFWS) and NOAA Fisheries Service (NMFS) to perform pre-construction surveys, to capture, handle, monitor, and release or relocate tidewater gobies, steelhead, red-legged frogs, and other sensitive habitat;
- avoiding any features that would act as barriers to fish or other wildlife migration;
- strict monitoring of water quality (including turbidity, temperature, salinity, and dissolved oxygen);
- avoiding refueling of equipment or other mechanical work will in the riverbed to the degree possible (if refueling of large cranes is needed in the riverbed, then additional protective equipment will be placed under the refuelings to avoid the potential for spills into the riverbed);
- developing spill prevention and containment plans for all refuelings and/or equipment repairs within the riverbed;
- avoiding any disturbance along or near the southern stream bank, which has the potential for discovery of cultural resources;

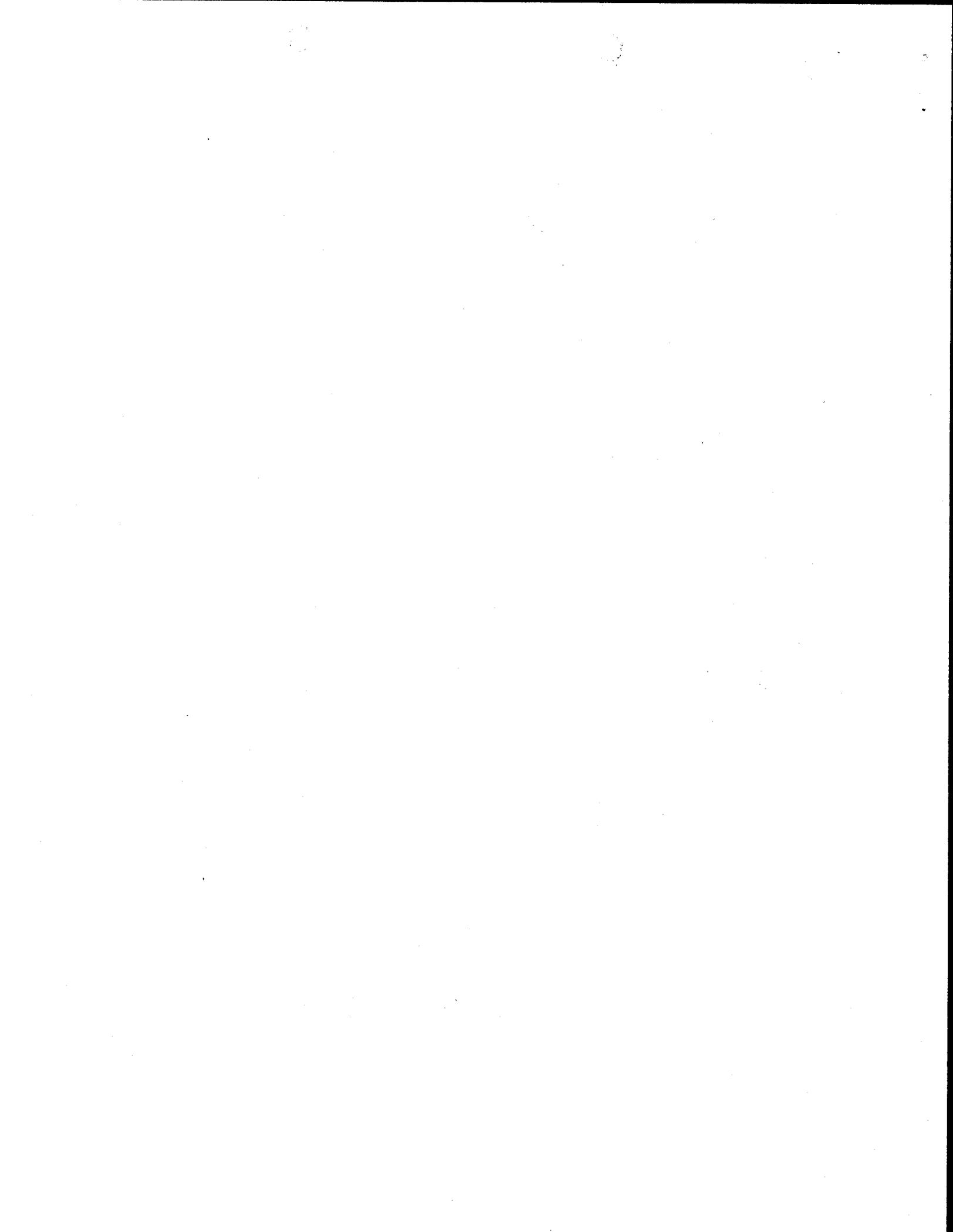
- placing fish-excluding nets (1/8th inch mesh, located 50 ft. upstream and downstream), frog excluding fencing (around the project area), and removing all fish and red-legged frogs from the river prior to placing the temporary culvert in the river;
- monitoring each day (at night, prior to any following-day construction) for special status fish and red-legged frogs;
- leaving fences and mesh open to allow fish passage at night;
- restoring the river to its previous condition after culvert removal;
- surveying and monitoring for Southwestern willow flycatchers in the vicinity to minimize noise and other impacts; and
- restoration and revegetation of disturbed areas with appropriate (wetland for wetland, upland for upland) non-invasive native species (including monitoring, establishment of performance criteria, and remediation efforts).

The bridge is located outside the coastal zone (2 miles inland of the coastal zone boundary) and on federal land. The Coastal Commission staff agrees that, with the avoidance, monitoring and mitigation measures listed above, the proposed project will not adversely affect coastal zone resources, and therefore, concurs with the negative determination made pursuant to 15 CFR Section 930.35. While we understand that the area of impacts and the avoidance and mitigation measures may be similar to the third-phase retrofit project, we are not formally reviewing that phase at this time, and we will expect to review a separate federal consistency submittal for that phase of the bridge repairs. If you have any questions, please contact Mark Delaplaine of the Coastal Commission staff at (415) 904-5289.

Sincerely,


(for) PETER M. DOUGLAS
Executive Director

cc: Ventura Area Office
Army Corps, Ventura Field Office



CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
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June 5, 2003

Mark Hutchinson
Attn: Kate Ballantyne
San Luis Obispo County, Department of Public Works
County Government Center, Room 207
San Luis Obispo, CA 93408

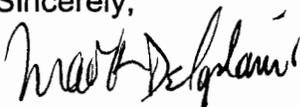
RE: **NE-031-03**, Main Street Enhancement Project, Cambria, San Luis Obispo County.

Dear Mr. Hutchinson:

The Coastal Commission staff has received and reviewed the above-referenced consistency submittal. The San Luis Obispo County Department of Public Works is proposing an enhancement project on Main Street in the community of Cambria. The project includes improvements to Main Street, between Burton Drive and Cambria Drive, consisting of the following components: 1) reconstruction of Main Street into a two-lane road with median and turn lanes; 2) construction of a meandering pedestrian trail along the south side of Main Street connecting West and East Village with the remainder of the Cross Town Trail at either end of this segment; and 3) development of a Class III bicycle route within the Main Street roadway. The project also includes the development of curbs and gutters along the roadway. The County will install hydrocarbon filters at the storm-drain inlets and convey the runoff into Santa Rosa Creek through a 30-inch culvert. The project may affect environmentally sensitive habitat areas, including riparian habitat, wetlands, and sensitive species. The proposed project will improve recreational resources, treat storm-water runoff, and mitigate for habitat impacts, and therefore, will benefit coastal zone resources.

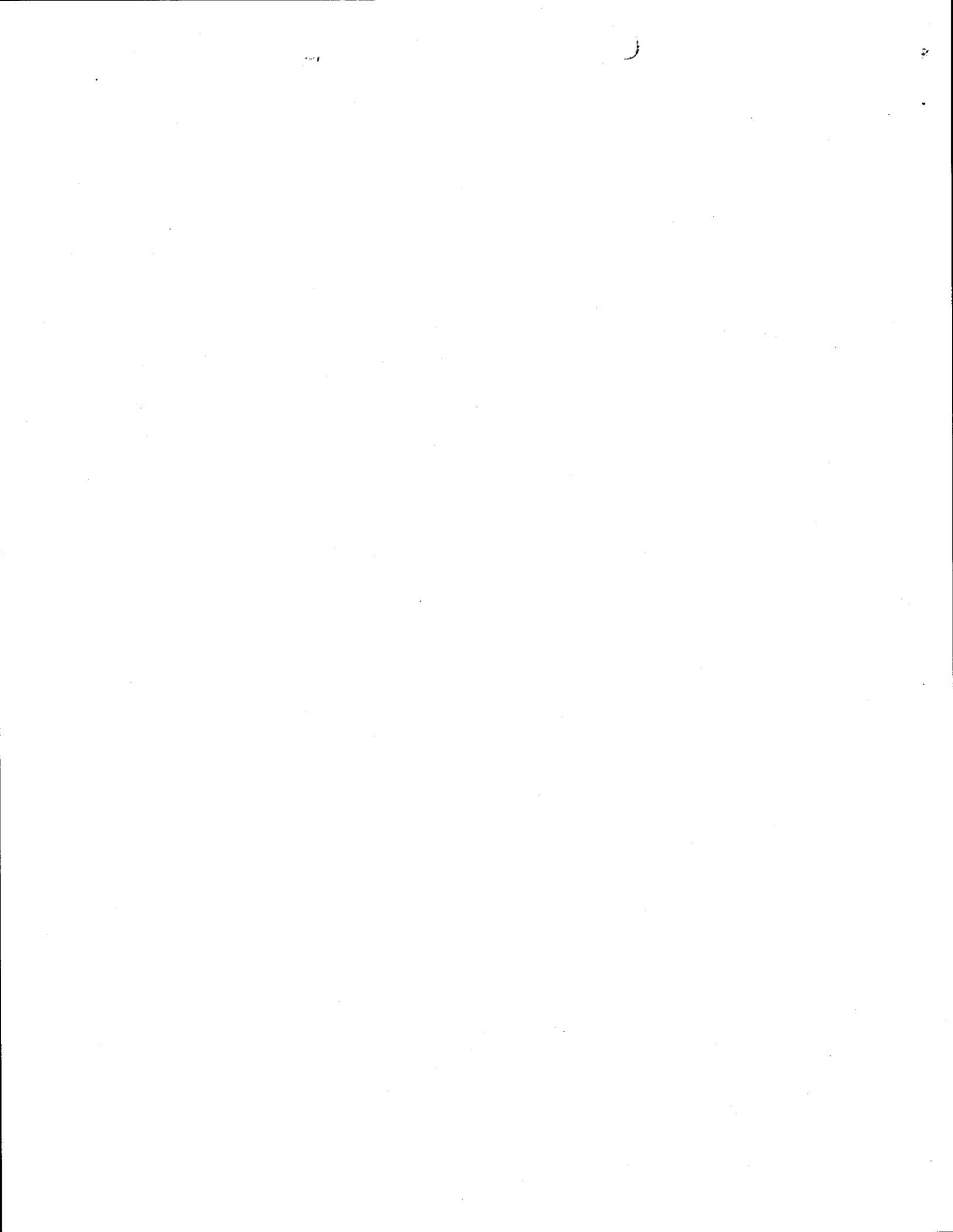
Since the proposed project is development as defined by the Coastal Act, it requires a coastal development permit (D96031-4D) from the County of San Luis Obispo. On March 14, 2002, the County approved that permit and the Coastal Commission did not receive an appeal of this permit. Although the project may have some effects on coastal uses and resources, the mitigation required through the County's permit resolves these issues. Therefore, the Coastal Commission staff has decided not to act on this consistency certification. 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)). If you have any questions, please contact James Raives of the Coastal Commission staff at (415) 904-5292.

Sincerely,


(41) PETER M. DOUGLAS
Executive Director

cc: Central Coast District

PMD/JRR



CALIFORNIA COASTAL COMMISSION

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May 27, 2003

Todd Smith
Immigration and Naturalization Service
U.S. Department of Justice
819 Taylor St., Room 3A28
Fort Worth, TX 76102-0300

Re: **ND-039-03** Negative Determination, U.S. Immigration and Naturalization Service,
Concrete road and riprap across Yogurt Canyon, Border Field State Park, San Diego

Dear Mr. Smith:

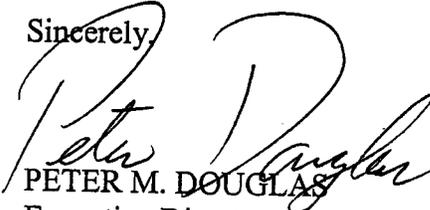
On May 21, 2001, the Coastal Commission staff concurred with the INS' negative determination for the repair of a 100 ft. long segment of the U.S./Mexican Border Fence in Yogurt Canyon, within Border Field State Park in San Diego (ND-036-01). Since that time, the INS has been unsuccessful in reconstructing that fence segment, primarily due to the difficulty in keeping equipment and fence piles in place, and the fence segment has now been down for over two years. The INS has now submitted a negative determination for the construction of a concrete road across the bottom of the canyon, at (and parallel to) the border. The purpose of the project is to enable the INS to secure footings for the previously-authorized fence repair, to otherwise maintain this primary fence segment, and to improve border patrol agent efficiency in this area. The proposed road would be 130 ft. long, 16 ft. wide, and one foot thick, with a 6 ft. wide bed of riprap on the downstream side of the road.

Because of the gap in the primary fence at this (and only this) location in the 14 mile long San Diego Sector of the Border Fence, Yogurt Canyon is used regularly for illegal border crossings, and the crossings and border patrol apprehensions have disturbed the habitat and kept any wetland or riparian vegetation from establishing within 30 ft. of the border on the U.S. side. Restoring the fence in this location will decrease these types of adverse habitat effects, which will help offset the fill of 0.06 acres of non-vegetated wetlands due to placement of the concrete and riprap. Also, as the INS points out in its submittal, if border activities cease in the canyon and wetland and riparian vegetation can reestablish, sedimentation into the Tijuana Estuary will be reduced.

While we have a number of serious environmental concerns with the INS' proposed secondary fencing project throughout the coastal zone and at Border Field State Park, particularly in the Smuggler's Gulch to the Pacific Ocean segments, we support the INS' efforts to reestablish and maintain the existing primary fence, as we believe those efforts provide the most effective (and least environmentally damaging) method of illegal crossings deterrence. In that spirit we have

repeatedly concurred with past INS and U.S. Army Corps of Engineers consistency and negative determinations for reinforcing the primary fence (CD-111-92, ND 118-96, ND 41-93, ND 99-92, and ND-036-01). Accordingly, the Coastal Commission staff **agrees** that the proposed project will not adversely affect coastal zone resources, and therefore, **concurs** with the negative determination made pursuant to 15 CFR Section 930.35. If you have any questions, please contact Mark Delaplaine of the Coastal Commission staff at (415) 904-5289.

Sincerely,



PETER M. DOUGLAS
Executive Director

cc: San Diego District Office
California Department of Parks and Recreation
California Department of Water Resources
Army Corps, San Diego Field Office

CALIFORNIA COASTAL COMMISSION

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June 17, 2003

Gary Ruggerone
Chief, Environmental Planning
Caltrans, District 5
50 Higuera St.
San Luis Obispo, CA 93401-5415

RE: **NE-043-03**, No-Effects Determination, Caltrans/Santa Barbara County, Bike lane,
North Jameson Lane, east of Santa Barbara, Santa Barbara Co.

Dear Mr. Ruggerone:

The Coastal Commission staff received your May 5, 2003, letter requesting Commission concurrence with a consistency certification for the above-referenced project: the construction of a bike lane along North Jameson Lane in Santa Barbara County. The project would consist of widening the road to accommodate the bike lane, modifying storm drains, and replacing bridges at Oak, San Ysidro, and Romero Creeks.

The project will not adversely affect environmentally sensitive habitat. The project will benefit public bicycle recreation and will not increase motorized vehicle capacity. The County has granted a coastal development permit (CDP) for the lane (02-CDP-00000-00089), in an area where the permit was appealable to the Commission, and the appeal period has run with no appeals being filed. County-imposed conditions included requirements for erosion controls, revegetation of disturbed areas, use of Best Management Practices, including installation of sediment basins to protect water quality, and wetland mapping and avoidance.

The Coastal Commission staff has decided not to act on this consistency certification. This decision is based on the fact that the project received a CDP from the County and that permit 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 in or object to that certification (15 CFR § 930.62(a)). If you have questions, please contact Mark Delaplaine, federal consistency supervisor, at (415) 904-5289.

Sincerely,

(for) Mark Delaplaine
PETER M. DOUGLAS
Executive Director

cc: Ventura Area Office
Santa Barbara County
Corps of Engineers, Ventura Field Office

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May 29, 2003

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

Subject: Negative Determination ND-044-03 (Berth 44-60 dredging and disposal at Southwest Slip Landfill, Port of Los Angeles).

Dear Ms. Villalobos:

The Coastal Commission staff has received and reviewed the above-referenced negative determination for modifications to the Port of Los Angeles Deep Draft Navigation Improvements (DDNI) Project. Since 1993, and as recently as November 2000, the Commission has concurred with numerous consistency determinations, negative determinations, and port master plan amendments for construction of the Port of Los Angeles DDNI project, which includes channel deepening, landfill and terminal construction, and mitigation measures for impacts to marine habitat. The subject negative determination is a further refinement of the original DDNI project.

The Corps proposes to dredge approximately 300,000 cu.yds. of material from Berths 44-60 and place this material within the previously-approved and now under-construction Confined Disposal Facility (CDF) in the Southwest Slip West Landfill in the Port of Los Angeles. (Better-than-expected consolidation of dredged materials currently being placed at the CDF provides the opportunity to deposit additional unsuitable dredged materials at this site.) A bulk-loading site (handling primarily coal but also copper concentrate, petroleum coke, copper slag, and pig iron) operated at Berths 48-52 for decades until closing in 1997. The existing harbor bottom materials at this location are now comprised of a layer of fine- and large-grained, unconsolidated deposits of coal, petroleum coke, and copper ore overlying the consolidated Malaga Mudstone sedimentary formation.

In order to remove these materials from the marine environment, the Corps proposes to dredge approximately 207,000 cu.yds. of sediment and spillover product that accumulated over time on the harbor bottom at Berths 48-52. These spillover products also dispersed over time to the vicinity of the former San Pedro Boat Works at Berths 44-47 and into the East Channel at Berths 54-60. As a result, the proposed project also includes dredging 50,000 cu.yds. at the former site and 43,000 cu.yds. at the latter site. Dredging at Berths 44-60 and disposal at the CDF is scheduled to occur between June and August 2003.

The Port of Los Angeles conducted a series of sampling and analysis programs to characterize the dredged materials and to assess potential toxicity and bioaccumulation risk. Standard toxicity tests on the materials indicated no significant toxicity to test species in either benthic or water column testing, and bioaccumulation testing indicated a statistically significant elevated concentration of copper in clam species tissue. While the materials are not classified as contaminated as a result of these tests, the Corps nevertheless proposes to remove all the spillover products at Berths 44-60, place these materials at the CDF in the Southwest Slip, and monitor water quality during dredging and disposal as if these materials were contaminated sediments. In addition, all water quality mitigation measures and other environmental commitments developed for the POLA Channel Deepening Project (of which the proposed project is an element) will be implemented for the proposed dredging at Berths 44-60 and disposal at the CDF. The proposed project was developed through extensive coordination with the Interim Advisory Committee (IAC) of the Los Angeles Region Contaminated Sediments Task Force. All members of the IAC (Corps of Engineers, U.S. EPA, Los Angeles RWQCB, California DFG, the Port of Los Angeles, the Coastal Commission, and Heal the Bay) support the proposed project, including the dredge footprint and depth and disposal at the Southwest Slip CDF.

In conclusion, the proposed project is similar to previous DDNI construction elements and subsequent modifications previously concurred with by the Commission and the Executive Director and found to be consistent with the California Coastal Management Program. The proposed dredging and disposal will occur in existing navigation channels and at the CDF in the Southwest Slip West Landfill, will remove unsuitable materials on the harbor bottom leftover from historic bulk-loading operations, and will not generate adverse effects on water quality or marine resources. We therefore **concur** with your negative determination made pursuant to 15 CFR Section 930.35(d) of the NOAA implementing regulations. Please contact Larry Simon of the Commission staff at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,



(for) PETER M. DOUGLAS
Executive Director

cc: South Coast District Office
Port of Los Angeles

CALIFORNIA COASTAL COMMISSION

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June 5, 2003

Paige K. Hoffmann
Department of the Navy
Naval Base Point Loma
140 Sylvester Road
San Diego, CA 92106-3521

Attn: Robert Humphreys

RE: **ND-046-03**, Negative Determination for the construction of a replacement research laboratory, Naval Base Point Loma, San Diego.

Dear Ms. Hoffmann:

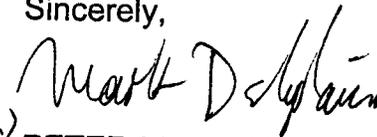
The Coastal Commission staff has received and reviewed the above-referenced negative determination. The Navy proposes to construct a 7,820 square-foot building to be used as a research laboratory at the Naval Base Point Loma. The proposed building will replace several aging trailers currently used for the same purpose. The trailers will be removed after completion of the proposed building. It will consist of two wings on the north and south ends of a 50- by 50-foot central hub. The Navy has designed an energy efficient building by aligning it with the prevailing winds to aid in the cooling of the office wings. The project will also include electrical, potable water, and sewage systems. The building design is consistent with other structures in the area and will consist of a one-story wood frame with a stucco exterior structure on a concrete slab. The Navy has previously graded and paved the building site. The proposed building is approximately 500 feet from the shoreline.

The Commission staff agrees with the Navy's conclusion that the project will not significantly affect coastal zone resources or uses. The project is located on federal land, which is excluded from the coastal zone for federal law purposes. For military security reasons, the Navy excludes public use of the area, and thus the project will not affect public access to the shoreline or public recreational use of the area. Additionally, the project does not include any fill or other discharges into the marine environment or coastal wetlands, and thus will not affect these resources. Also, the Navy will construct the project on a previously paved area and will replace existing trailers, which support the same use. Therefore, the project will not increase the amount of impervious surface or change the land use in a way that increases non-point source water pollution. In addition, because the Navy previously paved the site, it does not contain any sensitive habitat. Finally, the project will not affect visual resources of the coastal zone. Although the project will be visible from offshore areas, it will be visually consistent with other adjacent buildings. In addition, the project will replace existing trailers, which are existing visual intrusions. Finally, the existing wastewater treatment

plant located down coast from the project site already adversely affects visual resources of the area. Therefore, the project will not affect visual 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,


(fwd) PETER M. DOUGLAS
Executive Director

cc: San Diego Coast District

PMD/JRR

CALIFORNIA COASTAL COMMISSION

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June 5, 2003

Jerry Olen
Environmental Engineer
NFESC, Systems Acquisition Support Branch
4301 Pacific Highway
OT-3, Rm. 3941
San Diego, CA 92110-3127

RE: **ND-049-03** Negative Determination, Navy Modification to Previously Concurred with Consistency Determination for Advanced Deployable System (ADS) Ocean Tests, offshore of Camp Pendleton Marine Corps Base, San Diego Co.

Dear Mr. Olen:

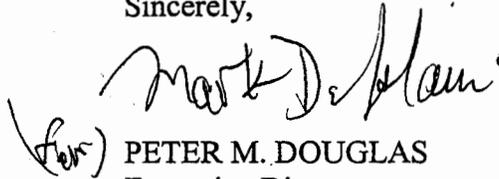
The Coastal Commission staff has received the above-referenced negative determination for a minor additional test similar to (and using existing equipment from) the Navy's Advanced Deployable System (ADS) Ocean Test program (CD-109-98)). The additional test, scheduled for September 2003, would consist of temporarily installing and temporarily anchoring fiber optic cable, connecting the cables to an existing cable to shore, and testing the equipment by imploding 12 household light bulbs (encased in a nylon bag). All of the equipment, including cables, light bulbs, and any temporary anchors would be retrieved which would be removed upon completion of the test.

On December 8, 1998, the Commission concurred with the Navy's consistency determination for its Advanced Deployable System (ADS) Ocean Tests. The ADS was a primarily a passive acoustic monitoring system designed to detect, locate, and report surface vessel and submarine activities in littoral (nearshore) marine environments. The Navy installed several hundred miles of underwater cables and listening devices, connected the cables to a shoreside facility on Camp Pendleton, and, to test the system, performed various active acoustic tests from ships in various locations in the Southern California Bight. Active acoustic tests include 1,344 hours of active tests (104 hours of pulsed sounds and 1,240 hours of continuous sounds) for up to 56 days of active (and a total of 265 days of active and passive) testing over the 3-year test period. The tests also included noises from light bulb implosions and vessel positioning systems.

The Navy committed to: (1) visual monitoring and avoiding exposure of marine mammals to sounds exceeding thresholds; (2) halting active transmissions if animals were present; (3) avoiding nighttime transmissions; (4) imposing special restrictions for reduced-visibility weather conditions; (5) avoiding transmissions within the Channel Islands National Marine Sanctuary (including waters 1 mi. beyond the Sanctuary boundary) and within 3 miles of all other islands; (6) avoiding all areas shallower than 200 ft. (60 meters) (again, including around islands); (7) avoiding transmissions within 0.5 miles of diving activities; and (8) monitoring and reporting to the Commission the mammal sightings and avoidance measures taken. The Navy subsequently submitted monitoring reports, which did not indicate the occurrence of any adverse effects.

Under the federal consistency regulations, a negative determination can be submitted for an activity "which is the same as or similar to activities for which consistency determinations have been prepared in the past." The proposed additional test does not raise any coastal zone resource issues that were not previously considered in by the Commission in its review of CD-109-98. The only active acoustic noise included in the proposed test (other than standard ship noise) would be the implosion of light bulbs, which would be similar to an activity which the Commission concurred with in CD-109-98. Also, as noted above, all equipment would be temporary and removed within six months. In addition, the project would not affect any hardbottom habitat, kelp beds, or artificial reefs in the area. Therefore, we agree with the Navy that this project is similar to past Navy ADS testing in the project area and does not raise coastal zone resource concerns. 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 "Mark Delaplaine", is written over the typed name. To the left of the signature, the word "(for)" is handwritten in a cursive style.

PETER M. DOUGLAS
Executive Director

cc: San Diego Area Office
California Department of Water Resources
Governors Washington D.C. Office