

**CALIFORNIA COASTAL COMMISSION**

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

**RECORD PACKET COPY****F8****DATE:** February 26, 2004**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-110-03
<b>APPLICANT:</b>	U.S. Marine Corps
<b>LOCATION:</b>	Camp Pendleton Marine Corps Base, San Diego Co.
<b>PROJECT:</b>	Construction of tertiary treatment plant
<b>ACTION:</b>	concur
<b>ACTION DATE:</b>	2/13/2004

<b>PROJECT #:</b>	ND-111-03
<b>APPLICANT:</b>	General Services Administration
<b>LOCATION:</b>	Light Station Point Pinos, Pacific Grove, Monterey Co.
<b>PROJECT:</b>	Conveyance of surplus property
<b>ACTION:</b>	concur
<b>ACTION DATE:</b>	2/11/2004

<b>PROJECT #:</b>	ND-008-04
<b>APPLICANT:</b>	Bureau of Land Management
<b>LOCATION:</b>	Point Arena, Mendocino Co.
<b>PROJECT:</b>	Acquisition of Stornetta Brothers Ranch
<b>ACTION:</b>	concur
<b>ACTION DATE:</b>	2/23/2004

PROJECT #:	ND-009-04
APPLICANT:	U.S. Coast Guard
LOCATION:	Coast Guard Station Morro Bay, San Luis Obispo Co.
PROJECT:	Improvements to Engineering Shop Building
ACTION:	concur
ACTION DATE:	2/23/2004

PROJECT #:	ND-011-04
APPLICANT:	Department of the Navy
LOCATION:	500 feet north of old Stillwell Hall site, Monterey Co.
PROJECT:	Installation of videocamera tower to monitor wave activity and dune erosion
ACTION:	concur
ACTION DATE:	2/24/2004

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February 23, 2004

Dave Stalters  
Chief, Environmental Division  
Civil Engineering Unit  
U.S. Coast Guard  
ATTN: Louis Rivero  
2000 Embarcadero, Suite 200  
Oakland, CA 94606-5337

Subject: Negative Determination ND-009-04, Engineering Shop Building Improvements, USCG  
Station Morro Bay, San Luis Obispo County

Dear Mr. Stalters:

The Coastal Commission staff has reviewed the above-referenced negative determination for improvements to the Engineering Shop Building at U.S. Coast Guard Station Morro Bay. The building is located on the western side of the North T Pier. The proposed work consists of constructing a 180 square-foot addition to the east side of the building, adding new electrical outlets, switches, windows, roll-up door, extending fire-protection sprinklers, and re-roofing and re-painting the building. The project would not adversely affect coastal resources. We therefore concur with your negative determination made pursuant to 15 CFR Section 930.35 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 "Mark Douglas", written over a horizontal line.

Handwritten initials "PMD" in black ink, enclosed in a circle.

PETER M. DOUGLAS  
Executive Director

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

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February 23, 2004

Rich Burns  
Field Manager  
Bureau of Land Management  
2550 N. State Street  
Ukiah, CA 95482

Subject: Negative Determination ND-008-04, Stornetta Brothers Ranch Land Acquisition, Point Arena, Mendocino County

Dear Mr. Burns:

The Coastal Commission staff has reviewed the above-referenced negative determination for acquisition of the Stornetta Brothers Ranch near Point Arena in Mendocino County. The Bureau of Land Management (BLM) proposes to accept a donation of 1132 acres in fee and a 581-acre conservation easement from The Nature Conservancy. The fee parcel to be owned and managed by the BLM is located between Highway 1 and the Pacific Ocean and includes coastal prairie, bluff, cliffs, the estuary of the Garcia River, beach, dunes, and one island (which will automatically be included in the California Coastal National Monument). The Stornetta family would retain a grazing lease on this property for ten years; afterwards the property would be eligible for lease under BLM statutes and regulations. Public access will be provided to this property soon after title is transferred to BLM.

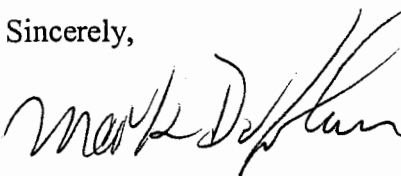
The second subject parcel would remain in fee ownership with the Stornetta family, with a conservation easement granted to BLM "exclusively for the purposes of: (a) enabling continued agricultural use by preserving and protecting in perpetuity the agricultural values, character, and utility of the property; and (b) preserving the scenic, open space, and natural resource and habitat values of the property. . . ." No public access will be available to the easement property. In addition, a separate 90-acre parcel which includes all dwellings, ranch operations, and out-buildings will be retained by the Stornetta family in fee.

BLM reports that the subject property contains significant natural resources, including critical wildlife habitat, several riparian corridors, extensive wetlands, ponds and other water sources, cypress groves, meadows, and sand dunes. Migratory waterfowl, shore birds, raptors, and listed and candidate threatened plant and animal species are found on the property, and the Garcia River is prime coho and chinook salmon habitat. The proposed acquisition is being funded by the California State Coastal Conservancy, Wildlife Conservation Board, Department of Fish and Game, and the U.S. Fish and Wildlife Service. The Nature Conservancy is acting as an intermediary to facilitate the sale between the Stornetta family and the transfer by donation to federal ownership.

BLM states that no development is proposed under this negative determination. An interim management plan for the 1132-acre fee parcel is currently under development and BLM has committed to submit a consistency determination for that plan to the Commission in the near future. BLM anticipates that this plan will provide for public trail access to the property and the ocean, a parking area, but no vehicle access (except for administrative and grazing uses), camping, or hunting on the property. In addition, a long-term land management plan will be developed over the next five years in which permanent proposals for use of the property will be made. BLM has also committed to submit a consistency determination for the long-term plan to the Commission.

In conclusion, the Commission staff agrees that the proposed acquisition of the Stornetta Brothers Ranch will not adversely affect the coastal zone but will lead to the protection of sensitive coastal resources and provide public access to and along the shoreline. We therefore concur with your negative determination made pursuant to 15 CFR Section 930.35 of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,

  
(for) PETER M. DOUGLAS  
Executive Director

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

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February 24, 2004

Edward B. Thornton  
Professor, Oceanography Department  
Naval Postgraduate School  
833 Dyer Road, OC Dept.  
Bldg. SP232 Rm. 328  
Monterey, CA 93943

Subject: Negative Determination ND-011-04, Installation of video camera tower, Fort Ord,  
Monterey County.

Dear Professor Thornton:

The Coastal Commission staff has reviewed the above-referenced negative determination for installation of a video camera tower approximately 500 feet north of the old Stillwell Hall site at Fort Ord in Monterey County. A 17-foot-high tower on a 3' x 3' base would be constructed on an existing concrete pad (the floor of an old building) that sits fifteen feet back from the edge of the dune/bluff face at an elevation approximately 130 feet above mean sea level. Two video cameras, one each looking up- and down-coast, would be mounted atop the tower, which will contain solar panels for self-contained power generation. The Naval Postgraduate School states that the objectives of this project are to monitor and determine the behavior of ocean rip current systems as they are affected by incident waves and to monitor the erosion of dunes along this stretch of Monterey Bay shoreline. The tower and cameras would be removed at the end of the four-year project. Construction and operation of the video camera tower would not disturb any of the sand dune or other coastal resources on or adjacent to the project site. We therefore concur with your negative determination made pursuant to 15 CFR Section 930.35 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 "Mark Douglas", written over a horizontal line.

(for)

PETER M. DOUGLAS  
Executive Director

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

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February 13, 2004

Lt. Colonel T.P. Lhuillier  
Deputy Assistant Chief of Staff  
Environmental Security  
U.S. Marine Corps  
ATTN: Robert Taylor  
Box 555008  
Camp Pendleton, CA 92055-5008

Subject: Negative Determination ND-110-03, Construction of Tertiary Treatment Plant and Associated Facilities, Marine Corps Base Camp Pendleton, San Diego County.

Dear Lt. Colonel Lhuillier:

The Coastal Commission staff has reviewed the above-referenced negative determination for construction of a tertiary wastewater treatment plant and associated facilities in the southern portion of Marine Corps Base Camp Pendleton, approximately one mile northeast of the Del Mar Boat Basin. The proposed project is designed to upgrade an outdated sewage treatment system and ensure that future disposal of sewage effluent at Camp Pendleton meets federal and state water quality standards. In 1997 the Commission concurred with a negative determination (ND-024-97) for construction of pipelines and pumps to convey secondary-treated effluent from sewage treatment plants on Camp Pendleton to an existing ocean outfall in the City of Oceanside. Previously, sewage effluent was discharged into the Santa Margarita River but beginning in September 2003 the effluent began discharging into the ocean outfall. The Marine Corps' agreement with the City of Oceanside provides for use of the outfall only through September 2011, and the proposed project would implement a permanent discharge plan for wastewater generated in the southern portion of Camp Pendleton.

The proposed project includes the following elements:

- Construction of a tertiary treatment plant adjacent to the existing sewage treatment plant (STP) 13 to treat wastewater flows from STPs 1, 2, 3, and 13;
- Construction of conveyance systems to transport wastewater from the tributary areas of STPs 1, 2, and 3, and from the inactive STP 8, to the new tertiary treatment plant;
- Construction of a wastewater reclamation system to convey tertiary-treated effluent for disposal at locations on Camp Pendleton;
- Construction of a lined, 300-acre-foot reclaimed water seasonal storage basin at the existing effluent percolation pond site adjacent to the proposed tertiary treatment plant site.

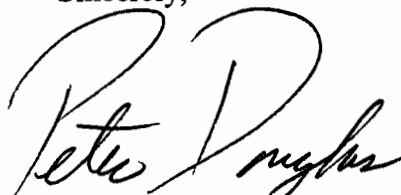
- Demolition of STPs 1, 2, 3, 8, and 13, with remediation and revegetation as appropriate; and
- Relocation of the existing recycling center from the site of the proposed tertiary treatment plant to a site in the eastern portion of Camp Pendleton adjacent to an auto hobby shop and auto materials recycling center.

The wastewater flow for the proposed system is expected to average 3.8 million gallons per day (gpd), with a design capacity of 5.0 million gpd to meet the safety margin provisions of the National Pollutant Discharge Elimination System permit required for the treatment plant. The tertiary-treated effluent would be discharges through reuse and/or through the City of Oceanside's existing ocean outfall (through September 2011, if needed). However, the Marine Corps expects that 100 percent of the tertiary-treated effluent will be used for reclamation at several locations on Camp Pendleton. Construction of the tertiary treatment plant and wastewater conveyance facilities would be completed by 2007, and construction of the reclamation system and demolition of obsolete facilities would be completed by 2010.

The proposed project is located entirely within the boundary of Marine Corps Base Camp Pendleton and is therefore excluded from the coastal zone. However, the Marine Corps examined the potential impacts from the project on coastal zone resources. Diverting the current secondary-treated wastewater from the ocean outfall to a water reclamation and re-use program at numerous on-base locations will improve the quality of ocean waters offshore of Oceanside and Camp Pendleton. The project was designed to locate project components in areas without threatened and endangered species or sensitive vegetation types and within previously disturbed or developed areas to the maximum extent possible. Where impacts are unavoidable to riparian and coastal sage scrub habitat, mitigation will be implemented in the form of habitat replacement and restoration, exotic species control, and monitoring. To the maximum extent practicable, construction activities will occur outside the breeding season of threatened and endangered species, and construction will be conducted in accordance with mitigation requirements presented in the U.S. Fish and Wildlife Service's *Riparian Biological Opinion for Marine Corps Base Camp Pendleton*.

In conclusion, with the mitigation measures included, the Commission staff agrees that the proposed construction of a tertiary wastewater treatment plant and associated facilities in the southern portion of Marine Corps Base Camp Pendleton will not adversely affect coastal resources. We therefore concur with your negative determination made pursuant to 15 CFR Section 930.35 of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions on this matter.

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 Office  
California Department of Water Resources  
Governor's Washington, D.C., Office  
San Diego Regional Water Quality Control Board

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February 11, 2004

Tom Doszkocs  
Senior Realty Officer  
Property Disposal Division  
U.S. General Services Administration  
401 West A Street, Suite 2075  
San Diego, CA 92101-7908

Subject: Negative Determination ND-111-03, Conveyance of Surplus Property at Light Station Point Pinos in Pacific Grove, Monterey County.

Dear Mr. Doszkocs:

The Coastal Commission staff has reviewed the above-referenced negative determination for conveyance of surplus property known as Light Station Point Pinos to the City of Pacific Grove in Monterey County. The subject property contains approximately 66 acres of land, including the 150-year-old lighthouse and related improvements. The light station supports U.S. Coast Guard aid to navigation equipment and provides housing for active-duty personnel. As a part of the proposed conveyance, the Coast Guard will retain a fenced 1.2-acre parcel of the subject property that includes two keeper's quarters and associated garages. The conveyance deed will also contain covenants for the benefit of the Coast Guard to allow for the continued use, operation, and maintenance of the aids to navigation found on the property.

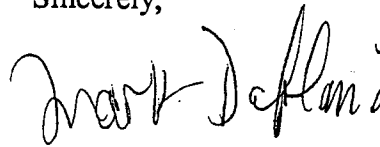
The City of Pacific Grove has leased the subject property from the Coast Guard since the late 1980s, including a portion of the Pacific Grove Municipal Golf Course and a five-acre parcel containing the lighthouse for museum use. The City offers public access and tours of the lighthouse/museum through an agreement with the Pacific Grove Museum of Natural History. After conveyance, the City plans to continue its existing use and operation of the subject property. As the subject property is listed on the National Register of Historic Places, the deed of conveyance will contain restrictive covenants to protect the property and provisions for reversion of the property back to the United States should the property not be maintained in compliance with the historic covenants, conditions, and restrictions.

While there are jurisdictional wetlands (Crespi Pond) on the northern part of the subject property, and federally-listed endangered plant species (Menzies wallflower, Tidestrom's lupine, and beach layia) are present on the property, no current activities occur onsite that adversely affect these resources. A *Biological Assessment and Restoration of Dune Habitat Plan* for the subject property was submitted to the U.S. Fish and Wildlife Service for its review. The GSA will insert covenants into the deed of conveyance to disallow uses that would substantially and adversely change the existing topography and/or the present character of the property or interfere

with its use as habitat for endangered plant species. Additional covenants protecting the historic nature of the property and structures on the property will also be inserted in the deed of conveyance.

In conclusion, the Commission staff agrees that the proposed conveyance of surplus property known as Light Station Point Pinos to the City of Pacific Grove will not adversely affect coastal resources. In addition, the Commission retains coastal development permit jurisdiction over any development on the subject property located within the coastal zone. We therefore concur with your negative determination made pursuant to 15 CFR Section 930.35 of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions on this matter.

Sincerely,



(for)

PETER M. DOUGLAS  
Executive Director

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