

CALIFORNIA COASTAL COMMISSION

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

**RECORD PACKET COPY****W 4****DATE:** April 21, 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]

PROJECT #:	ND-014-04
APPLICANT:	U.S. Marine Corps
LOCATION:	Marine Corps Recruit Depot, San Diego
PROJECT:	Relocation of previously-authorized fishing pier
ACTION:	Concur
ACTION DATE:	4/6/2004

PROJECT #:	ND-015-04
APPLICANT:	General Services Administration
LOCATION:	Point Sur Light Station, Big Sur, Monterey Co.
PROJECT:	Conveyance of Surplus Property to California Dept. of Parks and Recreation
ACTION:	Concur
ACTION DATE:	4/20/2004

PROJECT #:	ND-020-04
APPLICANT:	Corps of Engineers, Los Angeles District
LOCATION:	Oceanside Harbor, San Diego Co.
PROJECT:	Maintenance dredging with beach and nearshore disposal
ACTION:	Concur
ACTION DATE:	4/8/2004

PROJECT #:	NE-021-04
APPLICANT:	San Luis Obispo County
LOCATION:	Turri Road, 1.5 miles north of Los Osos Valley Road, San Luis Obispo Co.
PROJECT:	Remediate culvert and creek work on a tributary to Los Osos Creek
ACTION:	No effect
ACTION DATE:	4/9/2004

PROJECT #:	ND-022-04
APPLICANT:	Department of the Navy
LOCATION:	Defense Fuels Supply Point, San Pedro, Los Angeles Co.
PROJECT:	Repair several cathodic protection systems
ACTION:	Concur
ACTION DATE:	4/8/2004

PROJECT #:	NE-023-04
APPLICANT:	Ventura County Watershed Protection District
LOCATION:	Port Hueneme, Ventura Co.
PROJECT:	Reconstruct pump station
ACTION:	No effect
ACTION DATE:	4/9/2004

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400



April 6, 2004

Ruth B. Villalobos
Chief, Planning Division
U.S. Army Corps of Engineers
ATTN: Kirk Brus (CESPL-PD-RL)
P.O. Box 532711
Los Angeles, CA 90053-2325

Subject: Negative Determination ND-014-04, relocation of new fishing pier, Marine Corps
Recruit Depot, San Diego

Dear Ms. Villalobos:

The Coastal Commission staff has reviewed the above-referenced negative determination. The Marine Corps proposes to relocate a new (but not yet constructed) fishing pier as part of the Marine Corps Recruit Depot Marina Expansion Project, concurred with by the Commission in consistency determination CD-071-02. Subsequent to the Commission's action in November 2002, the Marine Corps determined that the pier would not stay secured in place at the previously proposed location north of the boathouse due to wave motion in the boat channel and wave energy reflected off the existing rip rap shoreline. Therefore, the Marine Corps now proposes to construct the fishing pier south of the boathouse, where wave action would not adversely affect the structural integrity of the pier. The size of the pier has been reduced from 750 sq.ft. to 600 sq.ft., and the new proposed location places the fishing pier outside the area of concern for suspected contaminated sediments at the head of the boat channel. The balance of the Marina Expansion Project remains unchanged.

In conclusion, the Commission staff agrees with the Corps' determination that the relocation of the proposed fishing pier will not 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 the typed name.

(PMD)

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
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200



April 20, 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

Re: **ND-015-04**, Negative Determination, General Services Administration (GSA)
Conveyance of Surplus Property at Point Sur Light Station, Big Sur, Monterey Co.

Dear Mr. Doszkocs:

The Coastal Commission staff has reviewed the above-referenced negative determination for the GSA's conveyance of the Point Sur Light Station to the California Department of Parks and Recreation (DPR) on Moro Rock in the Big Sur area of Monterey County. Portions of the property (27 acres) were transferred to DPR in 1987. That transfer bisected the property, which now contains 11.98 acres: a 10.8 acre parcel containing the 115-year-old lighthouse, and a 1.17 acre parcel containing a former barracks building now used as a visitor center, gift shop, and Coast Guard tower. The light station is listed on the National Register of Historic Places and is a California State Historic Landmark. The property transfer will include restrictive covenants to assure the property continues to be maintained in a manner protecting its historic significance, including a reversionary clause in the event the property was not being properly maintained. As the GSA notes, DPR is expected to continue to protect the outstanding scenic, historic, biological and recreational resources of the area, and any development on the site will be subject to coastal development permitting requirements.

In conclusion, the Commission staff agrees that the proposed conveyance of this property to DPR will not adversely affect coastal zone resources. In addition, the Commission retains coastal development permit/appeals jurisdiction over any development on the property. We therefore **concur** with your negative determination made pursuant to 15 CFR Section 930.35 of the NOAA implementing regulations. Please contact Mark Delaplaine at (415) 904-5289 if you have any questions on this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Peter Douglas".
PETER M. DOUGLAS
Executive Director

cc: Central Coast District Office

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400



April 9, 2004

Mark Hutchinson
Environmental Programs Manager
Department of Public Works
San Luis Obispo County
ATTN: Eric Wier
County Government Center, Rm. 207
San Luis Obispo, CA 93408

Subject: No-effects determination NE-021-04, remediate culvert repairs on a tributary of
Los Osos Creek, San Luis Obispo County

Dear Mr. Hutchinson:

The Coastal Commission staff has reviewed the above-referenced no-effects determination. The County proposes to restore a 250-foot-long damaged section of an unnamed tributary to Los Osos Creek where it passes beneath Turri Road, approximately 1.5 miles north of Los Osos Valley Road and east of the community of Los Osos. The damage occurred during unauthorized culvert maintenance work undertaken in September 2002 by County Department of Public Works road maintenance crews. The County now proposes to remove soil and rock fill and maintain erosion control measures at the project site until the area has stabilized. The proposed work would be undertaken between June 15 and October 15, 2004. The San Luis Obispo County Planning Department issued a coastal development permit (CDP) for the project on February 6, 2004, under the County's LCP, and the permit became final on March 11, 2004, as no appeals were filed.

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 Section 930.62(a)). Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,

(f24) A handwritten signature in black ink, appearing to read "Mark Douglas", written over the typed name.

PETER M. DOUGLAS
Executive Director

Mark Hutchinson
Page 2

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

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400



April 8, 2004

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-020-04, maintenance dredging at Oceanside Harbor, San Diego County

Dear Ms. Villalobos:

The Coastal Commission staff has reviewed the above-referenced negative determination. The Corps proposes to dredge between 183,000 and 262,000 cu.yds. 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 Commission concurred with another consistency determination for a similar six-year maintenance dredging program (CD-053-94). Beginning in 2000, the Commission staff has concurred with annual negative determinations for one-year maintenance dredging and beach disposal programs at Oceanside Harbor (ND-075-00, ND-016-01, ND-008-02, and ND-009-03).

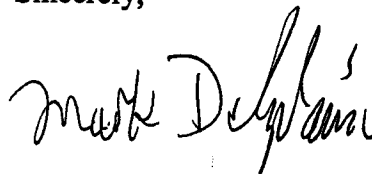
The proposed project will not adversely affect water quality, sand supply, beach recreation, or habitat resources of the coastal zone. The Corps' sediment analysis concludes that the dredged material consists primarily of clean sand that is suitable for beach replenishment, either by direct placement on receiving beaches or by placement in the nearshore zone. Dredging will not adversely affect water quality because the sediments are not contaminated and these sands will only generate short-term and localized increases in turbidity. The project will improve beach recreational opportunities and will not adversely affect regional sand supply. Dredging and disposal will not adversely affect California least tern foraging or benthic and sandy beach habitats due to the short-term nature of the project.

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

Ruth Bajza Villalobos

Page 2

Sincerely,

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

(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, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400



April 8, 2004

D.E. Gilkey
Southwest Division
Naval Facilities Engineering Command
ATTN: Hiphil Clemente
1220 Pacific Highway
San Diego, CA 92132-5190

Subject: Negative Determination ND-022-04, repair cathodic protection systems at Defense Fuels Supply Point, San Pedro, Los Angeles County

Dear Mr. Gilkey:

The Coastal Commission staff has reviewed the above-referenced negative determination. The Navy proposes to repair various cathodic protection systems at the Defense Fuels Supply Point San Pedro Terminal Rectifiers 1 and 2, San Pedro Terminal Island Tank Farm and Fuel Pier, the Norwalk Pipeline at McMillan Vault, and at the Long Beach Boulevard Rectifier. The proposed work involves the installation of supplemental anode beads and other materials necessary to repair cathodic protection systems. There is no in-water construction and the proposed work will not affect 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 regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter M. Douglas".

(for) PETER M. DOUGLAS
Executive Director

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

CALIFORNIA COASTAL COMMISSION

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



April 9, 2004

Theresa Stevens
Ventura County Watershed Protection District
800 S. Victoria Ave.
Ventura, CA 93009-1600

Re: **NE-023-04** No Effects Determination, Ventura County Watershed Protection District,
Reconstruct pump station, Hueneme and J St. Drains, Port Hueneme, Ventura Co.

Dear Ms. Stevens:

The Coastal Commission staff received your March 31, 2004, letter requesting Commission concurrence with a consistency certification for the reconstruction of an existing pump station, Hueneme and J St. drains, in Port Hueneme. The City has granted a coastal development permit (CDP) for the project (PHPD 786), in an area where the permit was appealable to the Commission, and the appeal period has run with no appeals being filed. In approving the project the City has required the Watershed Protection District to maintain the proposed improvements free of trash and graffiti, revegetate the project site, and add appropriate landscaping materials to help soften/screen the pump building, trailer-mounted generator, and security fencing from surrounding public parklands.

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 City 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,

LARRY EMMON
FOR
PETER M. DOUGLAS
Executive Director

cc: Ventura Area Office
Army Corps, Los Angeles District