

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

RECORD PACKET COPY

**Th 15****DATE:** July 22, 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>	NE-044-04
<b>APPLICANT:</b>	Nuevo Energy Company
<b>LOCATION:</b>	Between Platforms Henry and Hillhouse, Santa Barbara Co.
<b>PROJECT:</b>	Repair and replacement of electric cable section
<b>ACTION:</b>	No Effect
<b>ACTION DATE:</b>	6/23/2004

<b>PROJECT #:</b>	NE-047-04
<b>APPLICANT:</b>	City of Newport Beach
<b>LOCATION:</b>	408 South Bay Front, Newport Beach, Orange Co.
<b>PROJECT:</b>	Dredging 50 cu. yds.
<b>ACTION:</b>	No Effect
<b>ACTION DATE:</b>	7/16/2004

<b>PROJECT #:</b>	ND-049-04
<b>APPLICANT:</b>	Department of Defense
<b>LOCATION:</b>	Coronado Bay Bridge, San Diego
<b>PROJECT:</b>	Installation of fiber optic communications cable
<b>ACTION:</b>	Concur
<b>ACTION DATE:</b>	7/13/2004

PROJECT #:	ND-054-04
APPLICANT:	Department of the Navy
LOCATION:	Naval Post Graduate School, Monterey
PROJECT:	Building renovation
ACTION:	Concur
ACTION DATE:	7/21/2004

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FAX (415) 904-5400



June 23, 2004

Mr. Thomas Dunaway  
District Supervisor  
Minerals Management Service - Pacific OCS Region  
770 Paseo Camarillo  
Camarillo, CA 93010-6064

Subject: NE-044-04: Platform Hillhouse to Platform Henry Submarine Power Cable Repair and Replacement

Dear Mr. Dunaway:

On June 14, 2004, the Coastal Commission staff received your e-mail transmittal of Nuevo Energy Company's project description and execution plan<sup>1</sup> for the repair and replacement of approximately 1,800 feet of a damaged submarine power cable section between Platforms Henry and Hillhouse ("Project"). In addition, on June 23, 2004, we received the Environmental Analysis ("EA") that was completed by the Minerals Management Service ("MMS") for the Project.

The reason for the proposed Project is that on May 13, 2004 a boat anchor damaged the power cable between Platform Henry and Hillhouse causing a power failure resulting in temporary suspension of platform operations. Nuevo proposes to carry out the power cable repair between mid-June and mid-July 2004, with the offshore operations phase consisting of four to five days.

The Coastal Commission previously reviewed and concurred in the consistency certification for the Development and Production Plan ("DPP") for the installation of Platform Henry and its submarine pipelines and cables (CC-4-79). Pursuant to sections 930.71 and 930.51(b)(3) of the CZMA regulations (CFR, Title 15, Part 930), the consistency review requirements of CZMA § 307(c)(3)(B) are applicable to "major amendments of Federal license or permit activities

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<sup>1</sup> Nuevo's project submittals included the following: (a) *Nuevo Energy Company Hillhouse/Henry Submarine Power Cable Repair Project Execution Plan, Rev. 3, June 3, 2004*; (b) *Platform Hillhouse to Platform Henry Power Cable Repair Draft Project Description*; (c) *Anchor Mitigation Plan, June 3, 2004*; (d) *Table 1: Summary of Potential Impacts, Impacting Agents, and Company Initiated Measures to Avoid or Minimize Environmental Impacts for the Three Day Project*; and (e) June 10, 2004 letter from Nuevo Energy Company to Mr. Thomas Dunaway, MMS, modifying the project description to include pigging and shutting down the oil pipeline prior to lowering the replacement cable and splice box.

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July 16, 2004

Tom Rossmiller  
City of Newport Beach  
Division of Harbor Resources  
829 Harbor Island Drive  
Newport Beach, CA 92660

RE: **NE-047-04**, No-Effects Determination, City of Newport Beach, 50 cu. yds. of dredging, 408 South Bay Front, Newport Beach, Orange Co.

Dear Mr. Rossmiller:

On July 15, 2004, the Coastal Commission issued an administrative permit for the disposal of 50 cu. yds. of sediment at 408 South Bay Front in Newport Beach (CCC Admin. Permit No. 5-04-217). The material is being dredged from underneath an existing public fuel dock, and the disposal will be at the adjacent beach in front of the existing bulkhead on the property. The material has been tested and it is clean, sandy, and suitable for beach replenishment. Because the dredging of the material is exempt from permit requirements but needs a Corps of Engineers permit, a consistency certification or waiver from the federal consistency requirements is needed for the dredging aspect of the activity.

With this letter, we are waiving the need for a consistency certification, as the dredging will not adversely affect coastal zone resources. If you have questions about this letter, please contact Mark Delaplaine, federal consistency supervisor, at (415) 904-5289.

Sincerely,

*(pon)*  
Handwritten signature of Peter M. Douglas in cursive script.

PETER M. DOUGLAS  
Executive Director

cc: Long Beach Area Office  
Corps of Engineers, Los Angeles District (Cori Farrar)

previously reviewed by the State agency which will cause coastal zone effects substantially different than those originally reviewed by the State agency.”<sup>2</sup>

The Commission staff has determined that the proposed Project, using the resource protection measures that are described in the Project submittal, will not cause adverse effects on California's coastal zone resources substantially different than those reviewed in the original consistency certification CC-4-79 for the DPP for Platform Henry, and, therefore, is not subject to the Commission's federal consistency review at this time. This decision is based on the following reasons: (a) side scan surveys of the project area indicate that the seafloor habitat is soft bottom, and no kelp or eel grass, or cultural resources exist within the proposed Project area; (b) the Project submittal includes resource protection measures to avoid potential adverse impacts to commercial fishing, air quality, water quality, and migrating marine mammals; and (c) the Project includes resource protection measures to prevent or reduce the risk of an oil spill, including the mapping of the submarine oil/gas pipeline bundles in the area, an anchor handling and mooring plan to avoid accidental damage to pipelines from anchors, and a pipeline flushing and shutdown protocol that will be used during the cable laying phase of the operation.

Thank you for the opportunity to review this project. If you have any questions, please contact Robin Blanchfield of the Energy Staff at 415-904-5247 or [rblanchfield@coastal.ca.gov](mailto:rblanchfield@coastal.ca.gov).

Sincerely,



Alison Dettmer  
Manager  
Energy and Ocean Resources Unit

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<sup>2</sup> CFR 15 §930.51(c) states: "The term 'major amendment' of a federal license or permit activity means any subsequent federal approval that the applicant is required to obtain for modification to the previously reviewed and approved activity and where the activity permitted by issuance of the subsequent approval will affect any coastal use or resource ..."

## CALIFORNIA COASTAL COMMISSION

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July 13, 2004

Brian Montesi  
P.E. Area Manager  
Fluor Telecommunications  
3 Polaris Way  
Aliso Viejo, CA 92698

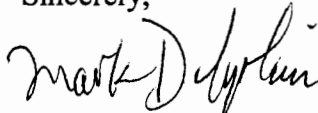
RE: **ND-049-04**, Negative Determination, Department of Defense, Fiber Optic Cable, from W. Broadway St. (downtown San Diego) to and across Coronado Bridge, San Diego and Coronado

Dear Mr. Montesi:

The Coastal Commission staff has reviewed the above-referenced negative determination for the installation of fiber optic cable from downtown San Diego, to and across the Coronado Bridge, to Coronado. The cable will be installed within existing road and railway rights-of-way in urban areas. The cable will traverse a 2.9 mile stretch of rights-of-way perpendicular to the bridge, starting at West Broadway and North Front Street, traveling down N. Front Street, then along East Harbor Dr., then over to Main St. (at Sigsbee) and along Main St. to the Coronado Bridge. Crossing the bridge, the cable will be placed within existing conduit attached to the bridge.

Construction activities will avoid wetlands, stream crossings, in-water construction, and biologically sensitive areas. The Coastal Commission staff agrees with the Department of Defense 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. 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: San Diego Coast Area Office  
Port of San Diego  
City of Coronado

## CALIFORNIA COASTAL COMMISSION

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July 21, 2004

Jerry Hemstock  
Department of the Navy  
Naval Facilities Engineering Command  
2001 Junipero Serra Blvd., Suite 800  
Daly City, CA 94014-1976

Naval Weapons Station, Seal Beach

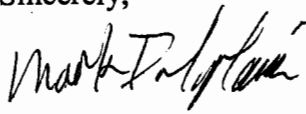
RE: **ND-054-04** Negative Determination, Navy Building Renovations, Naval Postgraduate School, Monterey

Dear Mr. Hemstock:

The Coastal Commission staff has received the above-referenced negative determination for the renovation of existing buildings at the Naval Postgraduate School in Monterey. The work will be confined to existing buildings on federal land. The buildings (Herrmann Hall) have historic significance, and the Navy will protect historic values and coordinate with the State Historic Preservation Officer. Measures will be included to protect water quality, including preparing a Storm Water Pollution Prevention Plan and including Best Management Practices (BMPs). The project will not affect public access and recreation, scenic coastal public views, or any other coastal resources.

We **agree** with your conclusion that the activity would not adversely affect any coastal zone resources, and we hereby **concur** with your negative determination for this project 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,

(PM)   
PETER M. DOUGLAS  
Executive Director

cc: Santa Cruz Area Office