

**CALIFORNIA COASTAL COMMISSION**

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

**RECORD PACKET COPY****Th 9****DATE:** August 18, 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-034-04
<b>APPLICANT:</b>	Corps of Engineers, San Francisco District
<b>LOCATION:</b>	SF-DODS Ocean Disposal Site, offshore of San Francisco
<b>PROJECT:</b>	Disposal of 310,000 cu. yds. of dredged material
<b>ACTION:</b>	Concur
<b>ACTION DATE:</b>	7/21/2004

<b>PROJECT #:</b>	ND-051-04
<b>APPLICANT:</b>	National Park Service
<b>LOCATION:</b>	Redwood National and State Parks, Del Norte Co.
<b>PROJECT:</b>	Repair Alder Camp Road
<b>ACTION:</b>	Concur
<b>ACTION DATE:</b>	7/30/2004

<b>PROJECT #:</b>	ND-046-04
<b>APPLICANT:</b>	National Park Service
<b>LOCATION:</b>	Point Reyes National Seashore, Marin Co.
<b>PROJECT:</b>	Horseshoe Pond Restoration
<b>ACTION:</b>	Concur
<b>ACTION DATE:</b>	8/16/2004

PROJECT #:	ND-055-04
APPLICANT:	Department of the Navy
LOCATION:	San Clemente Island, Los Angeles Co.
PROJECT:	road improvements, repairs, and extensions
ACTION:	Concur
ACTION DATE:	8/13/2004

PROJECT #:	ND-056-04
APPLICANT:	U.S. Coast Guard
LOCATION:	U.S. Coast Guard Station Crescent City, Del Norte Co.
PROJECT:	fence and gate installation and replacement
ACTION:	Concur
ACTION DATE:	8/6/2004

PROJECT #:	ND-059-04
APPLICANT:	Department of the Navy
LOCATION:	Naval Base Ventura County, Port Hueneme, Ventura Co.
PROJECT:	Repairs to Wharves 5 and
ACTION:	Concur
ACTION DATE:	8/13/2004

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July 21, 2004

Roderick A. Chisolm, II  
U.S. Army Corps of Engineers  
San Francisco District  
333 Market Street  
San Francisco, CA 94105-2197

Attn: Neil Hedgecock

Re: **ND-034-04** Negative Determination, Corps of Engineers, Ocean Disposal (at SF-DODS) of material from Oakland Harbor Dredging)

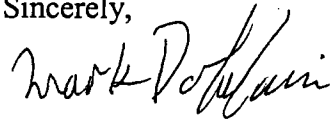
Dear Mr. Chisolm:

The Coastal Commission staff has received the above-referenced negative determination for the disposal of approximately 310,000 cubic yards of material dredged from Oakland Inner and Outer Harbor. The disposal site is the EPA-approved deep ocean disposal site (SF-DODS), located approximately 50 miles west of San Francisco. As you are aware, most of the project entails activities within San Francisco Bay that do not involve Coastal Commission jurisdiction, but rather are within the jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC). The Corps has tested the material, and the test results have been reviewed by the interagency Dredge Materials Management Office (DMMO) set up to review San Francisco Bay dredging activities. The test results show the material proposed for disposal at SF-DODS is suitable for open ocean disposal.

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." In the past several years, we have concurred in your negative determinations for ocean (SF-DODS) disposal of material dredged from the Ports of Oakland (ND-043-01 and ND-082-94) and Richmond (ND-105-00, ND-043-01, and ND-30-04). We agree with the Corps that this project is similar to several Army Corps Consistency and Negative Determinations we have concurred with involving disposal at SF-DODS. We therefore **concur** with your negative determination made pursuant to Section 15 CFR 930.35.

This concurrence is contingent on your acceptance of the EPA's updated special conditions for use of SF-DODS contained in the July 20, 2004, letter to you from the EPA. Please contact Mark Delaplaine at (415) 904-5289 if you have any questions.

Sincerely,

(for) 

PETER M. DOUGLAS  
Executive Director

cc: North Central Coast District Office  
EPA  
BCDC  
Governor's Washington, D.C. Office  
RWQCB, S.F. Bay Region  
Port of Oakland

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August 16, 2004

Don L. Neubacher  
Superintendent  
Point Reyes National Seashore  
ATTN: Chelsea Donovan  
Point Reyes, CA 94956

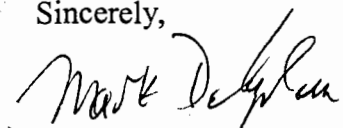
Re: **ND-046-04**, Negative Determination, National Park Service, Horseshoe Pond  
Restoration, West of Drakes Estero, Point Reyes National Seashore, Marin Co.

Dear Mr. Neubacher:

The Coastal Commission staff has reviewed the above-referenced negative determination for the restoration of Horseshoe Pond at the Point Reyes National Seashore. The project consists of removing artificial structures (including 5000 cu. yds. of excavation) historically placed at the mouth of the pond for dairy operations which inhibited tidal influence, and returning the pond to its pre-disturbance intertidal status. The project includes removing a concrete spillway and restoring an existing road to natural conditions. The excavated material will be placed at a nearby disturbed quarry and recontoured and revegetated. Erosion controls and best management practices will be incorporated into the project. The Park Service has coordinated with the National Marine Fisheries Service and U.S. Fish and Wildlife Service and has included measures to protect the California red legged frog and snowy plover from short term impacts. In the long term, the project will improve water quality and aquatic, dune, and red legged frog habitat, and may provide suitable habitat for the tidewater goby.

In conclusion, the project's impacts will be temporary, the project is located on federal land, and the project will benefit water quality, public access and recreation, sensitive habitat, and scenic public views. The Commission staff therefore agrees that the proposed project will not adversely affect coastal zone resources, and 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 regarding this matter.

Sincerely,

  
(for) PETER M. DOUGLAS  
Executive Director

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

## CALIFORNIA COASTAL COMMISSION

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July 30, 2004

Bill Pierce, Superintendent  
U.S. Dept. of the Interior  
California Dept. of Parks and Recreation  
Redwood National and State Parks  
1111 Second Street  
Crescent City, CA 95531

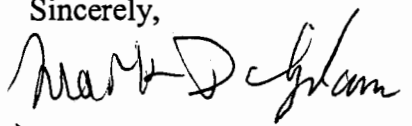
RE: **ND-051-04** Negative Determination, National Park Service, Alder Camp Road repairs, Redwood National Park, Del Norte Co.

Dear Mr. Pierce:

The Coastal Commission staff has received the above-referenced negative determination for repairs to Alder Camp Rd., just south of the mouth of the Klamath River in Redwood National Park. The project consists of repairing roadbed failures, improving culverts and drainages under the road, and redesigning the intersection of Alder Camp Rd. with Klamath Brach Rd. to improve traffic circulation and safety. The project covers a 2.2 mile stretch of 2-lane road and involves 28 drainage structures. In the long term, the project will improve scenic resources and benefit public access and recreation, water quality, and environmentally sensitive habitat. Due to habitat needs the repair work will occur during the summer/fall months; however access destinations will remain available along other roads in the park. If the project is not implemented, access and recreation, water quality, and sensitive habitat will be adversely affected. Measures to protect water quality (Best Management Practices) have been incorporated, the project includes mitigation for wetland impacts from the drainage structure improvements, and appropriate cultural resource consultation is occurring with the State Historic Preservation Officer and the Yurok Tribe.

With these measures, we **agree** with the Park Service that the project will not adversely affect coastal zone resources, and 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,

  
(for) PETER M. DOUGLAS  
Executive Director

cc: North Coast Area Office  
California Department of Water Resources  
Governors Washington D.C. Office  
Aida Parkinson (Redwood National Park  
Arcata Office, 1125 16<sup>th</sup> St.  
Arcata CA 95521)

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FAX (415) 904-5400



August 13, 2004

Lou Cavagnaro  
U.S. Navy - Southwest Division  
Naval Facilities Engineering Command  
ATTN: Christine Tuttle  
2585 Callagan Hwy., Bldg. 99  
San Diego, CA 92136-5198

Subject: Negative Determination ND-055-04, San Clemente Island Road Improvements  
(MILCON P-493), Los Angeles County

Dear Mr. Cavagnaro:

The Coastal Commission staff has reviewed the above-referenced negative determination for road work on San Clemente Island, wholly owned and operated by the Navy and closed to public access due to military security restrictions. The Navy proposes to improve Ridge Road and Range Electronic Warfare Simulator Road, extend Assault Vehicle Maneuver Road, and develop construction support facilities. The work would occur over a five-year period and is designed to provide safe, all-weather operational access across San Clemente Island for the transport of explosive ordnance, electronic equipment, emergency response vehicles, and personnel while avoiding sensitive natural and cultural resources. The Navy reports that the use of deteriorating roadways (e.g., severe potholes, erosion, and slope failures) on San Clemente Island over the last ten years has caused extensive damage to vehicles and equipment, as well as injury and death to personnel.

The proposed project includes the following elements:

Ridge Road. This road connects the Naval Auxiliary Landing Field in the north and the Shore Bombardment Area (SHOBA) in the south. The 14.4 mile-long road, ranging in width between 13 and 22 feet and with a road surface varying from unpaved gravel to concrete and asphalt, would be widened to a uniform 20 feet, paved with asphalt-concrete, and improved with a two to five foot-wide unpaved shoulder and a four foot-wide swale to control stormwater runoff. The location of the shoulder and swale would vary depending on terrain and requirements to protect habitat and cultural resources.

Range Electronic Warfare Simulator (REWS) Road. This road extends from near the southern end of Ridge Road to the REWS complex near the south end of the island. The 1.7 mile-long unpaved gravel road, ranging in width between 12 and 15 feet, would be paved with asphalt concrete and widened to a uniform 20 feet.

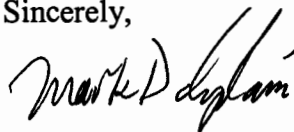
Assault Vehicle Maneuver Road. This unpaved road is used by amphibious and tracked vehicles and currently extends from Wilson Cove in the north to a former airfield now referred to as the VC-3 exercise area near the middle of the island. This road would be extended south to the SHOBA gate, would remain unpaved, and would be aligned generally parallel to Ridge Road, although the roads would intersect at several locations and would sometimes be concurrent. In the latter instance, the paved road surface would be strengthened and reinforced using concrete cement and welded wire fabric in order to prevent damage to Ridge Road from the weight of tracked vehicles.

Support Facilities. The Navy identified eight areas adjacent to the road construction corridors that could potentially be used as support sites: Building 60208, two sites at VC-3, mid-island quarry, intersection of Ridge and Middle Ranch Canyon roads, outside the REWS gate, the SHOBA gate, and a site north of the SHOBA gate.

The Environmental Assessment for the project concluded that the proposed road improvements would not significantly affect natural or cultural resources on San Clemente Island, and in addition, that there would be no impact on the coastal zone (i.e., offshore waters). The proposed project will affect 54 drainages under the jurisdiction of the Corps of Engineers, with 0.148 acres of permanent and 0.046 acres of temporary impacts. During construction, the Navy will implement the NPDES General Permit for Stormwater Discharges Associated with Construction Activity. A Stormwater Pollution Prevention Plan describing Best Management Practices has been prepared for the project. The Navy states that post-construction, the project would reduce sediment loads and improve downstream channel stability and water quality through changes in the rate and volume of runoff. The Navy's formal consultation with the U.S. Fish and Wildlife Service concluded with a Biological Opinion dated May 10, 2004, which stated that the project is not likely to jeopardize the continued existence of the San Clemente loggerhead shrike or the San Clemente Island larkspur. Public views of San Clemente Island from offshore waters would not be affected by the proposed low-profile road improvements and extension.

In conclusion, the Commission staff agrees that the proposed project will not adversely affect coastal resources offshore of San Clemente Island. 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,



(fwr) PETER M. DOUGLAS  
Executive Director

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



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August 6, 2004

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

Subject: Negative Determination ND-056-04, Replacement and installation of fencing, gates, and alarm system at the CGC Dorado moorings site, Whaler Island, Crescent City, Del Norte County

Dear Mr. Stalters:

The Coastal Commission staff has reviewed the above-referenced negative determination. The Coast Guard proposes to replace an existing fence and install new wrought-iron and chain-link fencing, vehicle and pedestrian gates, and a building alarm system at the Coast Guard Cutter "Dorado" moorings site on Whaler Island in the Crescent City Harbor. The proposed project is designed to improve security at this Coast Guard facility. The project will not affect public access or recreation as the existing and proposed fencing and gates are located in areas closed to the public due to military security restrictions. The fencing will not affect public views to or along the shoreline and will be installed in an existing developed area free of sensitive habitat.

In conclusion, the Commission staff agrees that the proposed project 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 regarding this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Peter M. Douglas".

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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August 13, 2004

Robert Wood  
Deputy Public Works Officer  
ATTN: James Danza  
Naval Base Ventura County  
311 Main Road, Suite 1  
Point Mugu, CA 93042-5001

Subject: Negative Determination ND-059-04, Repairs to Wharves 5 and 6, Port Hueneme,  
Ventura County

Dear Mr. Wood:

The Commission staff has reviewed the above-referenced negative determination for additional repairs to Wharves 5 and 6 at Naval Base Ventura County - Port Hueneme. The Commission staff previously concurred with negative determinations for repairs at Wharves 3, 4, 5, and 6 (ND-002-03) and at Wharves A, B, and C, the Vertical Launch Slip, the Landing Ship Transport Ramp, and the Booster Ramp (ND-093-03). In the course of undertaking the aforementioned projects, the Navy determined that additional repairs to Wharves 5 and 6 were required to maintain the structural integrity of the wharves. The Navy proposes to repair approximately 218 linear feet of rat guard at Wharves 5 and 6 using concrete aggregate filled bags, and fill two sink holes at Wharf 5 with concrete aggregate. The proposed repairs will occur within the structure and footprint of the existing wharves. Erosion and pollution control measures for the ND-002-03 and ND-093-03 projects will also apply to the proposed repair work.

In conclusion, the Commission staff agrees that the proposed repair activities at Port Hueneme will not adversely affect coastal resources. We therefore concur with your negative determination made pursuant to 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,

A handwritten signature in black ink, appearing to read "Mark Delaplane", written over the typed name.

(f/c) PETER M. DOUGLAS  
Executive Director

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