

CALIFORNIA COASTAL COMMISSION

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



F 3

DATE: November 20, 2007

TO: Coastal Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director
Alison Dettmer, Deputy Director
Mark Delaplaine, Manager, Energy, Ocean Resources and Federal
Consistency Division

RE: Negative Determinations Issued by the Executive Director
[Executive Director decision letters are attached]

PROJECT #:	ND-054-07
APPLICANT:	Corps of Engineers, Los Angeles District
LOCATION:	Ballona Wetlands, Playa del Rey, Los Angeles Co.
PROJECT:	Soil sampling
ACTION:	Concur
ACTION DATE:	10/30/2007

PROJECT #:	ND-058-07
APPLICANT:	U.S. Fish and Wildlife Service
LOCATION:	Seal Beach National Wildlife Refuge, Orange Co.
PROJECT:	Repair and armor the Bolsa-Forrestal Levee
ACTION:	Concur
ACTION DATE:	11/2/2007

PROJECT #:	ND-059-07
APPLICANT:	Bureau of Land Management
LOCATION:	Trinidad, Humboldt County
PROJECT:	Construct interpretive kiosk adjacent to Trinidad boat ramp
ACTION:	Concur
ACTION DATE:	11/6/2007

PROJECT #:	ND-060-07
APPLICANT:	Coast Guard
LOCATION:	Monterey Bay Jetty, Monterey
PROJECT:	Replace Aids to Navigation
ACTION:	Concur
ACTION DATE:	10/10/2007

PROJECT #:	ND-062-07
APPLICANT:	Department of the Navy
LOCATION:	Naval Base Ventura County, Point Mugu, Ventura Co.
PROJECT:	Holiday Beach restoration project
ACTION:	Concur
ACTION DATE:	11/6/2007

PROJECT #:	NE-063-07
APPLICANT:	North County Transit District
LOCATION:	Bridge 225.4, Oceanside, San Diego Co.
PROJECT:	Bridge deck replacement
ACTION:	Concur
ACTION DATE:	11/15/2007

PROJECT #:	ND-067-07
APPLICANT:	Corps of Engineers, Los Angeles District
LOCATION:	City of Oceanside, San Diego Co.
PROJECT:	Giant reed (Arundo dorax) eradication within the San Luis Rey River flood control channel
ACTION:	Concur
ACTION DATE:	11/6/2007

PROJECT #:	ND-068-07
APPLICANT:	Department of the Navy
LOCATION:	Naval Base San Diego, San Diego
PROJECT:	Homeporting of three Zumwalt class destroyers at Pier 12
ACTION:	Concur
ACTION DATE:	11/8/2007

Mark DeLoplaine

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November 8, 2007

C.L. Stathos
Department of the Navy
Commander Navy Region Southwest
937 No. Harbor Dr.
San Diego, CA 92132-0058

RE: **ND-068-07** Negative Determination, Navy, Pier 12 Ship Berthing, Navy Base San Diego, City of San Diego

Dear C. L. Stathos:

The Coastal Commission staff has reviewed the above referenced negative determination. The Navy proposes to homeport three destroyer ships at Naval Base San Diego (NBSD) in San Diego County. Each ship is 607 foot long, 81 foot wide with a dead weight draft of 23 foot. The ships would berth at Pier 12, requiring only two berths because at any given time one ship would be deployed. The Navy would place two skid-mounted substations on the pier to provide 4,160V electrical power to the ships. The Navy would renovate approximately 3,000 sq. ft. of the interior of building 3411 located within the waterfront area of NBSD to provide for training of personnel. No ground disturbing activities or in-water construction would take place as part of this project. The Navy would not alter the footprint of building 3411 as part of the renovations. Public access to NBSD is not available due to military security needs, and the project poses no burdens on public access.

The Commission staff agrees that the proposed project at NBSD would not adversely affect coastal resources. We therefore **concur** with your negative determination made pursuant to 15 CFR Section 930.35. If you have questions, please contact Diane Livia at 415-904-5250 or dlivia@coastal.ca.gov.

Sincerely,

(cc) PETER DOUGLAS
Executive Director

cc: San Diego District Office

Mark Delaplaine

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November 2, 2007

Kirk Gilligan
Refuge Manager
Seal Beach National Wildlife Refuge
6010 Hidden Valley Road
Carlsbad, CA 92011

RE: ND-058-07 Seal Beach National Wildlife Refuge Bolsa-Forrestal Levee Erosion Control Project, Orange County

Dear Mr. Gilligan:

The Coastal Commission has reviewed the above referenced negative determination. The U.S. Fish and Wildlife Service (Service) proposes to repair and armor, with riprap rock, the Bolsa-Forrestal levee in the Seal Beach National Wildlife Refuge (NWR). The Refuge is situated entirely within the boundaries of Naval Weapons Station Seal Beach, Orange County. The levee separates the western-most portion of the Bolsa cell from the remainder of the cell in order to allow for a tidal feeder channel to Anaheim Bay. High speed, turbulent tidal flows scour the western banks of the levee, causing it to erode and the channel banks to collapse. Left unchecked, erosion will eventually cause levee breach, which would, in turn, flood the Bolsa cell and destroy existing Belding's savannah sparrow habitat. A breach will also significantly reduce tidal circulation in the restoration sites to the north, adversely affecting marine and avian habitat. The proposed repair would prevent the loss of much of the habitat provided by the Bolsa cell.

The Service would use approximately 595 cu. yds. of existing sediment from the top of the levee to re-contour the most eroded sections to a 2:1 slope. The Service would compact the fill, cover it with geotextile fabric and place riprap on top of the fabric. In addition, the Service would place approximately 960 cu. yds. of additional riprap along the entire length of the levee, which, when added to the armoring of the most eroded sections, would total 377 linear feet of riprap armoring. The Service would use clean fill, obtained from existing stockpiles of earthen material on the Naval Weapons Station, to rebuild the top of the levee to its previous elevation. Construction staging would take place on a wide gravel area on Bolsa Avenue adjacent to the Bolsa cell. The Service would place fill material at the staging area for several hours at most, surround the fill piles at the base with hay rolls and preclude fill material from the edge of the wetland. All work would take place on the western bank of the levee.

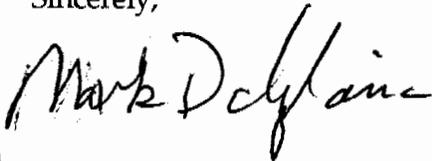
The Service has scheduled construction for late Fall 2007 in order to avoid feeding activity by California least tern fledging activity and Belding's savannah sparrow nesting. All wetlands effects would take place within the footprint of the riprap with permanent effects limited to a maximum of 0.164 acre. This includes approximately 0.014 acre of intact salt marsh vegetation, and the same amount of scattered salt marsh vegetation. Erosion will claim this area and destroy the salt marsh vegetation if allowed to continue at its current rate. To minimize the

ND-058-07 USFWS
Bolsa-Forrestal Levee Erosion Control Project
Seal Beach National Wildlife Refuge

effects of this 0.014 acre loss, the Service would plant the top of the levee, amounting to 0.070 acre, with a combination of high marsh and native upland transition vegetation obtained from local stock in Orange County and northern San Diego County.

The Commission staff agrees that the proposed project at the Bolsa-Forrestal Levee in Seal Beach National Wildlife Refuge would not adversely affect coastal resources. We therefore concur with your negative determination made pursuant to 15 CFR Section 930.35. If you have questions, please contact Diane Livia at 415-904-5250 or dlivia@coastal.ca.gov.

Sincerely,



(for)

PETER DOUGLAS
Executive Director

cc: Long Beach District Office
Army Corps, L. A. District

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45 FREMONT, SUITE 2000
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November 6, 2007

Lynda Roush
Arcata Field Manager
Bureau of Land Management
ATTN: Brad Job
1695 Heindon Road
Arcata, CA 95521

Subject: Negative Determination ND-059-07 (California Coastal National Monument interpretive kiosk, Trinidad, Humboldt Co.)

Dear Ms. Roush:

The Coastal Commission staff has reviewed the above-referenced negative determination. The Bureau of Land Management (BLM) proposes to construct an information kiosk on land owned by the Trinidad Rancheria adjacent to the Trinidad boat ramp and pier in Trinidad, Humboldt County. The proposed kiosk will provide the public with tide charts, boater safety information, wildlife viewing guidelines for boaters, and visitor information about the California Coastal National Monument (CCNM). The kiosk structure measures six by sixteen feet and anchored to a nine by 18 foot concrete slab, is approximately 9'8" in height, and will be constructed of timber with a metal roof. The kiosk would be installed on a previously-disturbed site adjacent to the boat launch parking lot; universal access to the kiosk from the parking area would be consistent with the Americans with Disabilities Act. The proposed kiosk was designed in coordination with the CCNM, City of Trinidad, and the Trinidad Rancheria. No excavation is required to construct the kiosk, thereby eliminating potential disturbance of cultural resources that may exist at the site; the kiosk would be sited adjacent to existing structures, would obscure some of those structures, and would not adversely affect scenic views at this location.

In conclusion, the Coastal Commission staff **agrees** that the proposed interpretive kiosk will not adversely affect coastal resources. We therefore **concur** with your negative determination made pursuant to Section 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 large, stylized handwritten signature in black ink, appearing to read "Peter Douglas".

PETER M. DOUGLAS
Executive Director

ND-059-07 (Bureau of Land Management)

Page 2

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

Sincerely,

A handwritten signature in cursive script that reads "Mark Delplaine".

(for) PETER M. DOUGLAS
Executive Director

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

Mark DeSapina

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November 6, 2007

Ronald J. Dow
Director, Environmental Division
Department of the Navy
Naval Base Ventura County
311 Main Road, Suite 1
Point Mugu, CA 93042-5033

RE: **ND-062-07** Negative Determination, Navy, Holiday Beach Dune Restoration, Point Mugu, Ventura County

Dear Mr. Dow:

The Coastal Commission staff has reviewed the above referenced negative determination. The Navy proposes to remove non-native plant species and restore flat, open beach by removing select dunes at Holiday Beach, Navy Base Ventura County (NBVC). European beach grass (*Ammophila arenaria*) and other invasive, exotic plant species have created dunes on Holiday Beach that do not conform morphologically to natural dunes created by native plants, resulting in disruption of beach processes and the loss of native flora, associated fauna and nesting habitat for the endangered California least tern and the threatened western snowy plover. The U.S. Fish and Wildlife Service, in its Biological Opinion, requires NBVC to control invasive plant species that degrade listed species habitat at Point Mugu. Beach habitat restoration and invasive plant control at Point Mugu are also components of the Navy's Integrated Natural Resource Management Plan and the Navy's Invasive Plant Control Program.

The Navy would use a backhoe to grub non-native plants, then bury the plant material deep under the sand, or remove it from the base. The Navy has used sand burial in the past as a cost-effective method of disposal, and has observed that it does not result in re-growth of the buried material. Once vegetation is removed, the Navy would use a front-loader to redistribute the sand in the immediate beach area to restore nesting habitat for western snowy plover. No more than two front loaders would be on the beach at any one time. A monitor would be present during activities for on-site spill prevention, and a biologist would be present to monitor for plovers.

There are over 13 acres of exotic species established on Holiday Beach, and the Navy's activities to remove them would be ongoing and sporadic, over at least two years, depending upon the availability of the Navy construction battalion (Seabees) for labor. Nonetheless, the navy will conduct all work between September 15 and March 15 to avoid the nesting least tern and snowy plover seasons, and above the ordinary high water mark. The project would not affect access to the beach, as this beach is not open to the public or military personnel. The Navy would use Best Management Practices to protect against release of any hazardous materials, and in addition, will not park vehicles on the beach overnight and will not fuel vehicles on the beach.

The Commission staff agrees that the proposed project at Holiday Beach, Point Mugu, would not adversely affect coastal resources. We therefore **concur** with your negative determination made pursuant to 15 CFR Section 930.35. If you have questions, please contact Diane Livia of the Coastal Commission staff at 415-904-5250 or dlivia@coastal.ca.gov.

Sincerely,



(for) PETER DOUGLAS
Executive Director

cc: Ventura District Office

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November 15, 2007

Karen H. King
Executive Director
North County Transit District
810 Mission Avenue
Oceanside, CA 92054-2825

Subject: No-Effects Determination (NE-063-07, Bridge 225.4 deck replacement, City of Oceanside, San Diego Co.)

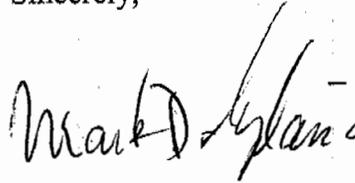
Dear Ms. King:

The Coastal Commission staff has reviewed the above-referenced no-effects determination. The North County Transit District (NCTD) proposes to replace the deck of Bridge 225.4, located on the Los Angeles-San Diego (LOSSAN) Rail Corridor in the City of Oceanside in northern San Diego County. The proposed work would take place within the existing railroad right-of-way (ROW) and involves the removal of the existing bridge deck, construction of a replacement bridge deck, and replacement of the existing timber ballast retainers north and south of the bridge abutments with precast concrete ballast retainers supported by steel piles. A proposed construction staging area is located in an existing cleared area of the ROW southeast of the bridge, and the main access point to the project site would be from Neptune Way through an existing NCTD gate onto the ROW. Project construction is scheduled to begin in November 2007 and occur over eight weekends.

No temporary or permanent fill of wetland or riparian areas is proposed. The project does include installation of a debris containment system underneath the bridge to catch any construction materials before they fall into the San Luis Rey River flood control channel. The NCTD will also prepare and implement a Storm Water Pollution Prevention Plan and a Spill Prevention Control and Countermeasure Plan to further ensure protection of water quality and marine habitat during the construction period. The project was included in the September 2005 U.S. Fish and Wildlife Service *Programmatic Biological Opinion for the Rail Corridor from the Orange County Border South to Southern Oceanside for Operations and Maintenance, and Six Double-Track Projects in San Diego County, California*, and will not adversely affect sensitive bird species in the project area as construction will occur outside the breeding season.

In conclusion, the Commission staff **agrees** with NCTD that the proposed bridge deck replacement project would not adversely affect coastal zone resources. We therefore **concur** with your "no-effects" determination for this project. 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". The signature is written in a cursive style with a horizontal line at the end.

(for)

PETER M. DOUGLAS
Executive Director

cc: CCC – San Diego Coast District
Patrick O’Neill, BRG Consulting
Robert Smith, Corps of Engineers

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November 6, 2007

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

Subject: Negative Determination ND-067-07 (Vegetation spraying and mowing to eradicate *Arundo donax* within the San Luis Rey River flood control project area, City of Oceanside, San Diego Co.)

Dear Ms. Villalobos:

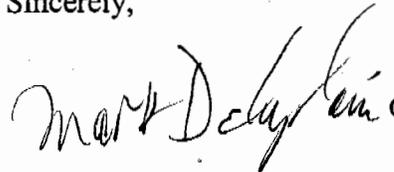
The Coastal Commission staff has reviewed the above-referenced negative determination. The Corps of Engineers proposes to eradicate approximately 45 acres of *Arundo donax* within the San Luis Rey River flood control project area, located between the Interstate 5 bridge and the College Avenue bridge in the City of Oceanside. While most of the proposed eradication would occur inland of the coastal zone, an 0.8-mile-long section of the flood control channel upstream of the Interstate 5 bridge is located within the coastal zone and work could occur in this reach. The proposed action is part of an ongoing federal flood control project to improve flow conveyance, which has been reduced in recent years due to vegetation growth and sediment deposition in the river channel.

The proposed eradication program consists of foliar application in November 2007 of a systemic herbicide to ensure translocation to the plant roots. Sprayed *Arundo* will be left in place to allow the herbicide to completely take effect. Approximately four months later, the stands of dead *Arundo* biomass will be mowed, mechanically chipped, and left in place as mulch. Any debris that is washed downstream to area beaches will be removed by the City of Oceanside during routine debris removal activity. The project alignment and schedule was designed in coordination with the U.S. Fish and Wildlife Service and California Department of Fish and Game to minimize disturbance to native habitat, riparian wetlands, and listed species (e.g., least Bell's vireo, southwestern willow flycatcher). A Clean Water Act Section 401 water quality certification for the biomass mowing and chipping element of the project will be obtained from the San Diego RWQCB. Only herbicides approved by the U.S. Environmental Protection Agency for use in aquatic environments effective in treating *Arundo* will be used, and only under the direction of a California licensed pesticide applicator and a Corps of Engineers biologist will be on site to assist in the identification of *Arundo* stands to be targeted for eradication. The Corps will also incorporate best management practices in the use of herbicides, mowing and

chipping operations, and the use of pre-existing staging areas and access routes to the individual work areas within the flood control channel.

The Commission staff previously concurred with a negative determination (ND-005-06) in January 2006 for similar vegetation mowing in the San Luis Rey River flood control channel; that previous work involved only mechanical removal and not herbicide spraying. However, the Corps reports that foliar application of herbicide during the *Arundo* growing season, followed by mechanical removal, significantly improves control of this invasive species when compared to using only mechanical removal techniques. Given the design safeguards to protect sensitive habitat that supports listed species which frequent the coastal zone, the need to remove non-native and highly invasive stands of *Arundo* that are adversely affecting native riparian habitat, and the need to improve the ability of the flood control channel to safely convey winter storm flows, we agree with the Corps of Engineers that the proposed vegetation clearing project would not adversely affect coastal zone resources. We therefore concur with your negative determination made pursuant to Section 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,



(for)

PETER M. DOUGLAS
Executive Director

cc: CCC – San Diego Coast District
California Department of Water Resources
Governor's Washington, D.C., Office
U.S. Fish and Wildlife Service
California Department of Fish and Game
City of Oceanside

CALIFORNIA COASTAL COMMISSION

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October 30, 2007

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

Re: Negative Determination ND-054-07, Army Corps Soil core sampling and field investigations, Ballona Wetlands, Los Angeles Co.

Dear Ms. Villalobos:

The Coastal Commission staff has reviewed the above-referenced negative determination for geotechnical investigations to support wetland restoration in Lower Ballona Creek. The Corps has been working with the Commission staff and the Dept. of Fish and Game Reserve Manager to design the investigation in a manner having the least environmentally damaging effect on the Ballona Creek wetlands. As a result of this coordination, the Corps has revised the project to minimize construction vehicles crossing salt panne areas, use existing roads to the maximum extent feasible, and to place mats under equipment to further minimize effects from vehicles. The Corps has also agreed to monitor vehicle tracks, and if effects of compaction are observed, they will be restored to pre-existing conditions.

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 Mark Delaplaine at (415) 904-5289 should you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Mark Delaplaine".

(for)

PETER M. DOUGLAS
Executive Director

cc: Long Beach District Office

