STATE OF CALIFORNIA -- THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, *Governor*

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

F 3

DATE: **February 21, 2007**

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-092-06
APPLICANT:	U.S. Navy
LOCATION:	San Clemente Island, Los Angeles Co.
PROJECT:	Increased wastewater discharge volume
ACTION:	Concur
ACTION DATE:	2/8/2007

PROJECT #:	ND-094-06
APPLICANT:	U.S. Air Force
LOCATION:	Oak Mountain, Vandenberg Air Force Base, Santa Barbara Co.
PROJECT:	Installation of Telemetry Antenna
ACTION:	Concur
ACTION DATE:	1/26/2007

PROJECT #:	ND-002-07
APPLICANT:	U.S. Navy (Naval Postgraduate School)
LOCATION:	Offshore Bay St. Sand City, Monterey Co.
PROJECT:	Install temporary oceanographic instruments
ACTION:	Concur
ACTION DATE:	2/21/2007

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February 8, 2007

R.D. Johnston
Deputy Public Works Officer
Naval Air Station North Island
ATTN: Delphine Lee
Box 357033
San Diego, CA 92135-7033

Subject: Negative Determination ND-092-06 (Increase in wastewater discharge from San Clemente Island Wastewater Treatment Plant, San Diego Co.)

Dear Mr. Johnston:

The Coastal Commission staff has reviewed the above-referenced negative determination for increasing the maximum allowable discharge volume from the San Clemente Island Wastewater Treatment Plant (SCIWTP) from 25,000 to 48,000 gallons per day (gpd). The Navy constructed the existing secondary treatment plant in 1979 and wastewater is discharged through an outfall pipe that terminates at the shoreline in the rocky intertidal zone. The facility operates under Los Angeles Regional Water Quality Control Board (LARWQCB) National Pollutant Discharge Elimination System (NPDES) Permit No. CA0110175. This permit was renewed in 2000 and specifies a maximum average daily discharge flow of 25,000 gpd (the maximum treatment capacity of the plant is 60,000 gpd). This permit expired in June 2005 and the plant currently operates under an administrative extension.

The Navy reports that during 2005, average daily discharge volumes from the SCIWTP exceeded 25,000 gpd for the months of February, May, and June, thereby violating a condition of the NPDES permit. The Navy states that while the violations occurred as a result of "upset" conditions, the Navy concludes that the SCIWTP operates only slightly below the permit limit and has minimal ability to accommodate episodic increases in influent volumes without exceeding the daily average discharge volume limit. The Navy currently recycles treated wastewater to the extent feasible for construction, dust control, and other appropriate non-potable uses. However, the demand for recycled water is intermittent and not sufficient to reliably and consistently reduce existing and estimated future effluent discharge volumes.

As a result of these existing conditions, the Navy submitted an NPDES permit renewal application to the LARWQCB in December 2004 that requested an increase in the maximum allowable discharge volume to 48,000 gpd, an initial dilution factor of 136:1, and a 450-foot-long extension of the existing ocean outfall. The Navy states that its proposed increase in the maximum allowable discharge volume would not necessarily result in continuous discharges at the 48,000 gpd limit. Instead, daily discharge flows would continue to fluctuate in relation to

changes in daily influent volumes, but would slowly increase from the present level of 25,000 gpd over the five-year time period of the next NPDES permit.

The Navy conducted modeling of the effluent plume under a discharge volume of 60,000 gpd (i.e., the maximum plant capacity, not the proposed discharge level) at the extended outfall discharge location. The modeling results showed a predicted dilution factor of 136:1 under worst-case conditions (stratified, no current flow), which is the basis for the dilution factor requested in the NPDES permit application. The modeling also indicated that effluent constituents would be reduced to levels below the California Ocean Plan objectives and would be consistent with the expected NPDES permit conditions. The Regional Board has not yet taken final action on the aforementioned NPDES permit renewal application, and the Navy will not implement its proposed discharge increase from the SCIWTP until it has obtained the NPDES permit.

In October 2005 the Coastal Commission concurred with the Navy's consistency determination CD-092-05 for replacing and extending the SCIWTP ocean outfall 450 feet seaward from the existing surf zone discharge point to a location at a water depth of 70 feet. (The Navy's consistency determination did not include an increase in the SCIWTP discharge volume.) The Commission found that the project would discharge secondary treated effluent in deeper water seaward of kelp beds, bring the SCIWTP into compliance with California Ocean Plan standards, significantly improve water quality and marine resources at this location, and be consistent with the water quality policies of the Coastal Act.

The Commission staff notes that the proposed discharge increase will not go forward until the Navy has obtained a new NPDES permit from the LARWQCB and this permit will require that the Navy's discharges from the SCIWTP meet California Ocean Plan standards. In addition, provisions in the Coastal Act (Section 30412) provide for Commission reliance on the RWQCB for a number of water quality determinations, and to date, the Commission has usually deferred to the RWQCBs when secondary treatment standards are being met. Therefore, given these protections and limitations, the Commission staff **agrees** that the proposed increase in the maximum allowable discharge volume from the San Clemente Island Wastewater Treatment Plant will not adversely affect coastal water quality and marine resources. The proposed increase is also consistent with the Commission's concurrence with CD-092-05 for construction of the SCIWTP ocean outfall extension to improve water quality in the waters offshore of San Clemente Island. 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,

PETER M. DOUGLAS
Executive Director

cc: CCC – San Diego Coast Office
California Department of Water Resources
Governor's Washington, D.C., Office
LARWQCB

STATE OF CALIFORNIA – THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, GOVERNOR

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January 26, 2007

Beatrice L. Kephart
Chief, Environmental Flight
30th Space Wing
Department of the Air Force
ATTN: Dina Ryan
30 CES/CEV
1515 Iceland Avenue, Room 181C
Vandenberg AFB, CA 93437-5319

Subject: Negative Determination ND-094-06 (Telemetry Antenna at Oak Mountain Facility, Vandenberg Air Force Base, Santa Barbara Co.)

Dear Ms. Kephart:

The Coastal Commission staff has reviewed the above-referenced negative determination for construction of a 44-foot diameter telemetry antenna, a 62-foot diameter radome cover, and modifications to existing ancillary power equipment at the Oak Mountain Facility (OMF) at the southeast corner of Vandenberg Air Force Base (VAFB) approximately 2.8 miles inland from the Pacific shoreline. The Air Force has used the OMF since 1960 as a launch vehicle tracking station and the site includes eleven permanent structures (e.g., antennas, buildings) which support launch activities at VAFB. The OMF is located at an elevation of 2,100 feet above sea level on the second tallest peak at VAFB and it provides the required line-of-sight visibility to launched vehicles. The proposed antenna would receive various on-board measurements (e.g., real time vehicle position, systems performance) as radio signals from launch vehicles and in-flight aircraft to support range safety operations. The proposed antenna would be placed at the west end of the OMF on an existing, vacant, asphalt covered surface and would connect to existing electric and communications systems. No environmentally sensitive habitat or cultural resources would be disturbed by the proposed construction on the existing developed site. In addition, the OMF is located approximately 3.7 miles north of Jalama Beach County Park and is not visible from this park or the adjacent shoreline open to the general public due to the foothills that lie between the two locations. Construction of the proposed antenna and radome will not affect public views to and along the shoreline from Jalama Beach County Park.

In conclusion, the Coastal Commission staff **agrees** that the proposed construction of an antenna and radome cover at the Oak Mountain facility at Vandenberg AFB 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,

mark Douglas

(for) PETER M. DOUGLAS
Executive Director

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

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February 21, 2007

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-002-07 (Temporary installation of oceanographic instrumentation offshore of Sand City, Monterey Co.)

Dear Professor Thornton:

The Coastal Commission staff has reviewed the above-referenced negative determination for temporary installation by the U.S. Navy of oceanographic instrumentation in the surf zone offshore of the Monterey Regional Water District compound at Bay Street in Sand City. The Naval Postgraduate School research project objectives are to measure wave transformation, rip currents, boundary layers, and sediment flux during a one-month period of time between March and June 2007. Eleven underwater instruments will be mounted on poles jetted into and extending up to four feet above the ocean floor. A bundle of eleven ¼ inch-diameter cables will be laid across the dune from the Water District compound to the beach where the cables will be distributed to the various instruments. All cables and instruments will be removed at the end of the project. The project will not significantly affect coastal resources or uses. The project site does not contain any kelp or other vegetation and the substrate does not include any hard-bottom areas. No adverse impacts to recreational users of the beach are expected due to the temporary nature of the project and the time of year in which it will operate. Permits have been obtained from the California Department of Fish and Game and the Monterey Bay National Marine Sanctuary, and the Executive Director concurred with a similar one-month instrumentation project at the same location in 2001 (ND-008-01).

In conclusion, the Coastal Commission staff **agrees** that the proposed oceanographic research project in the surf zone offshore of Sand City 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,

Mark Delaplaine

(for) PETER M. DOUGLAS
Executive Director