

CALIFORNIA COASTAL COMMISSION

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



Th 10

ENERGY, OCEAN RESOURCES, AND FEDERAL CONSISTENCY DIVISION REPORT
FOR THE
MAY 8, 2008 MEETING OF THE CALIFORNIA COASTAL COMMISSION

TO: Commissioners and Interested Parties

FROM: Alison Dettmer, Deputy Director
Energy, Ocean Resources & Federal Consistency

DE MINIMIS WAIVER		
APPLICANT	PROJECT	LOCATION
E-08-009-W Valero Wilmington Refinery	Construct a new Maintenance Building and demolish three buildings – the existing Maintenance Building, Laboratory Building and Production Building at Valero Wilmington Refinery.	Valero Wilmington Refinery City of Los Angeles

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NOTICE OF COASTAL DEVELOPMENT PERMIT
DE MINIMIS WAIVER

DATE: April 10, 2008 **PERMIT NO. E-08-009-W**

TO: Coastal Commissioners and Interested Parties

SUBJECT: Waiver of Coastal Development Permit Requirements

Based on the plans and information submitted by the applicant for the development described below, the Executive Director of the Coastal Commission hereby waives the requirements for a coastal development permit (CDP), pursuant to Section 30624.7 of the California Coastal Act.

Applicant: Valero Wilmington Refinery
2402 East Anaheim Street
Wilmington, California 90744

Project Description: The project consists of (a) construction of a new Maintenance Building to replace the refinery's existing maintenance building, and (b) demolition of three buildings – the existing Maintenance Building, Laboratory Building and Production Building. The overall purpose of the project is to relocate buildings away from refinery hazards to meet worker safety requirements. The project will not result in any changes to current refinery production levels.

Background: The applicant owns and operates the Valero Wilmington Refinery, located in the coastal zone within the City of Los Angeles. The refinery is adjacent to the Dominguez Channel, which flows to Los Angeles Harbor, and is near several other heavy industrial facilities, including another refinery, marine cargo transport facilities, a hydrogen plant, storage areas, and other related activities. More than a century of port, industrial, and oil and gas development has heavily disturbed the coastal zone in the vicinity of the refinery.

The refinery receives pipeline and truck deliveries of about 78,000 barrels per day (bpd) of crude oil and 50,000 bpd of distillate feedstocks. These feedstocks are refined into gasoline, diesel, jet fuels and other low sulfur distillate fuels. Major processing units at the refinery include crude and vacuum distillation, delayed coking, catalytic reforming, hydrotreating, fluid catalytic cracking, alkylation, sulfur recovery, and auxiliary systems.

Other Required Approvals: There are no discretionary government agency approvals required for the proposed project except approval from the Coastal Commission. The

applicant has obtained approval in concept for the project from the City of Los Angeles Planning Department. The City requires non-discretionary building permits only.

Waiver Rationale: For the following reasons, the proposed project will not have a significant adverse effect, either individually or cumulatively, on coastal resources, nor will it conflict with policies of Chapter 3 of the Coastal Act.

The refinery is located in an area in which industrial activity is the predominant use. It is adjacent to the Dominguez Channel, which is used primarily for industrial and stormwater drainage, and does not include public access or recreational use. The proposed project will not preclude or interfere with public access to, or recreational users of, the coast.

The project involves construction of a new maintenance building and removal of other buildings on an existing industrial site. There will be no impact to biological resources of the coastal zone. Proposed activities will not affect refinery operations and will not increase the risk of a hazardous materials spill. The applicant will implement an approved construction Storm Water Pollution Prevention Plan (SWPPP) to manage storm water runoff.

The project will generate minor air emissions from the use of trucks, cranes, forklifts, backhoes and bobcats. Construction and demolition activities will generate fugitive dust, but the applicant will minimize such emissions by meeting the South Coast Air Quality Management District's (SCAQMD) Rule 403.

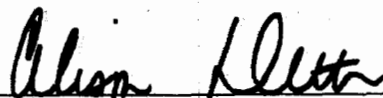
The new maintenance building will be 35 feet high, lower in profile than other onsite refinery structures. It will be located in an area where visual quality is already heavily dominated by industrial equipment and processes. Therefore, the proposed project will be visually compatible with the existing character of the area.

Important: This waiver is not effective unless the project site has been posted and until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of May 7-9, 2008 in Marina Del Rey. If four or more Commissioners object to this waiver, a coastal development permit will be required.

Sincerely,

PETER M. DOUGLAS
Executive Director

By: _____



ALISON J. DETTMER
Deputy Director

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
 SAN FRANCISCO, CA 94105-2219
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Th 10

DATE: April 16, 2008

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-077-07
APPLICANT:	U.S. Air Force
LOCATION:	Offshore Vandenberg Air Force Base, Santa Barbara Co.
PROJECT:	Debris Management associated with airborne laser testing
ACTION:	Concur
ACTION DATE:	3/6/2008

PROJECT #:	ND-002-08
APPLICANT:	U.S. Coast Guard
LOCATION:	San Nicolas, Santa Barbara, Gull, and Santa Catalina Islands, offshore southern California
PROJECT:	Replace in-kind four aids to navigation structures
ACTION:	Concur
ACTION DATE:	2/15/2008

PROJECT #:	ND-003-08
APPLICANT:	U.S. Fish and Wildlife Service
LOCATION:	Tijuana Slough National Wildlife Refuge, Imperial Beach, San Diego Co.
PROJECT:	Re-route an eroding segment of existing trail
ACTION:	Concur
ACTION DATE:	3/6/2008

PROJECT #:	NE-004-08
APPLICANT:	Santa Barbara County Public Works Dept.
LOCATION:	14 waterways from Carpinteria to Goleta, Santa Barbara Co.
PROJECT:	Debris management
ACTION:	No effect
ACTION DATE:	2/20/2008

PROJECT #:	ND-005-08
APPLICANT:	Department of the Navy
LOCATION:	Naval Base Ventura County, Port Hueneme, Ventura Co.
PROJECT:	Repair and maintenance of Naval Surface Warfare Center Canal
ACTION:	Concur
ACTION DATE:	3/10/2008

PROJECT #:	ND-006-08
APPLICANT:	Department of the Navy
LOCATION:	Naval Base Ventura County, Point Mugu, Ventura Co.
PROJECT:	Wetland restoration adjacent to Mugu Lagoon
ACTION:	Concur
ACTION DATE:	3/5/2008

PROJECT #:	ND-008-08
APPLICANT:	Department of the Navy
LOCATION:	Naval Base Point Loma and Naval Base Coronado, San Diego Co.
PROJECT:	Relocate electronic testing equipment and systems to upland and in-water locations
ACTION:	Concur
ACTION DATE:	2/29/2008

PROJECT #:	NE-009-08
APPLICANT:	Dover Shores Community Association
LOCATION:	LA-3 ocean disposal site, offshore Orange Co.
PROJECT:	Disposal of dredged material from Newport Bay
ACTION:	No effect
ACTION DATE:	3/4/2008

PROJECT #:	ND-010-08
APPLICANT:	National Park Service
LOCATION:	Golden Gate National Recreation Area, north of Mt. Tamalpais, Marin Co.
PROJECT:	Dias Ridge restoration and trail improvement plan
ACTION:	Concur
ACTION DATE:	3/26/2008

PROJECT #:	ND-011-08
APPLICANT:	Corps of Engineers, San Francisco District
LOCATION:	SF-8 ocean disposal site
PROJECT:	Disposal of dredged material from SF Bar Channel
ACTION:	Concur
ACTION DATE:	3/10/2008

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March 6, 2008

Beatrice L. Kephart
Chief, Environmental Flight
Department of the Air Force
30th Space Wing
ATTN: Andrew Edwards
30 CES/CEV
1028 Iceland Avenue
Vandenberg AFB, CA 93437-6010

Subject: Negative Determination ND-077-07 (Debris management activities associated with testing of the airborne laser program, Vandenberg AFB, Santa Barbara Co.)

Dear Ms. Kephart:

The Coastal Commission staff has reviewed the above-referenced negative determination. The Air Force proposes to implement debris management activities in conjunction with the airborne laser program (ABL) at Vandenberg Air Force Base (AFB). The proposed activities include the observation, photography, and debris tracking, assessment, recovery, and/or disposal. The ABL test program is comprised of a modified Boeing 747 aircraft that accommodates laser detection, tracking and termination systems, the ground launching of unarmed target test missiles from Vandenberg AFB, and the destruction of the target missile by a high-energy laser from the 747 aircraft at altitudes greater than 35,000 feet and at locations between 3.5 and 15.5 miles offshore of Vandenberg AFB. Eight ABL tests are planned between 2009 and 2014, including one non-launch "dress rehearsal." Range clearance and biological monitoring aircraft would operate for eight hours for each test, and boating operations to support buoy placement and debris assessment, tracking, recovery, and/or disposal would last 24 hours for each test.

Based on debris migration modeling, the Air Force does not expect any target missile debris to reach mainland or Channel Island shorelines. Shore evaluations would be conducted for three days after each test to ensure that any debris washed ashore is removed. Chemicals present in the liquid-fueled missile would be expended during flight or, upon missile destruction, rapidly evaporate into the atmosphere or dissipate in the water column. No adverse effects on water quality are anticipated. Any floating debris would be recovered or sunk to eliminate potential adverse impacts to seabirds, marine mammals, and sea turtles. U.S. Fish and Wildlife Service and NOAA Fisheries agree with the Air Force's determination that the proposed debris management activities are not likely to adversely affect threatened and endangered species and their habitats.

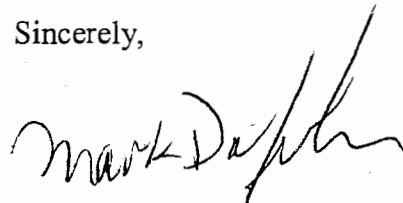
The Air Force will implement procedures to ensure public safety during ABL and debris management activities, including range closures, airspace restrictions, Notice to Mariners, Notice

to Airmen, and road and beach closures. The Air Force reports that an average of 14 government-launched missiles occurs annually at Vandenberg AFB, and that existing and proposed rocket launches are scheduled and coordinated to prevent cumulative impacts on public access and recreation from beach closures required by launch operations and debris management and retrieval activities. The ABL test activities are currently scheduled to occur between the hours of midnight and 4:00 AM because of optimal atmospheric conditions and reduced air traffic. Point Sal State Beach is closed during nighttime hours and, as a result, closure of the beach during ABL testing is not required. The beach would be closed on the day of the missile launch if ABL testing is conducted during daytime hours. In addition, if debris from ABL testing reaches or is expected to reach the shoreline at Point Sal State Beach, the Air Force may need to temporarily close the beach to facilitate debris removal and protect public safety. Furthermore, and at the request of Commission staff, the Air Force has agreed to notify the Commission in the event that ABL test operations require closure of Point Sal State Beach, due either to a daytime test or the presence of debris on the shoreline.

Public access to Point Sal State Beach and Air Force concerns over public safety and base security were discussed during a December 4, 2007, meeting in San Francisco between Vandenberg AFB staff and Commission staff. The Air Force noted that it was developing a memorandum of agreement with the County of Santa Barbara that would address public access, safety, and security, and that it would provide a draft copy of the MOA to the Commission staff for our review and comment. The Commission staff is anxiously awaiting receipt of the draft MOA; resolving the historic and ongoing public access conflicts at Point Sal State Beach in the vicinity of Vandenberg AFB remains a high priority for the Commission.

In conclusion, the Coastal Commission staff **agrees** that the proposed ABL debris management activities 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,



(for)

PETER M. DOUGLAS
Executive Director

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

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February 15, 2008

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

Subject: Negative Determination ND-002-08 (Replacement of Aids to Navigation in the Channel Islands in Santa Barbara, Ventura, and Los Angeles counties)

Dear Mr. Stalters:

The Coastal Commission staff has reviewed the above-referenced negative determination. The U.S. Coast Guard proposes to replace in-kind four Aids to Navigation structures located on San Nicolas Island, Santa Barbara Island, Gull Island (offshore of Santa Cruz Island), and Santa Catalina Island, offshore of southern California. The existing ATONs are deteriorating and will be replaced at the same locations by structures with the same dimensions. At each site, the proposed work includes removing the existing supporting steel structure and light from the foundation pad, installing new anchors for supporting guide wires, installing the replacement structure and light, and connecting the guide wires between the anchors and the new structure. A helicopter will be used to ferry materials during removal and installation activities. All work will be conducted outside of breeding seasons for listed bird species that are found in and adjacent to the four ATON sites. Noise generated by the project will be limited and temporary and is not expected to adversely affect any bird or marine mammals. The project will not adversely affect public access, scenic views, water quality, or environmentally sensitive habitat. Replacement of the existing ATONs is required for continued support of high-priority coastal zone uses including coastal-dependent and coastal-related boating activities.

In conclusion, the Coastal Commission staff **agrees** that the proposed project 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 handwritten signature in black ink, appearing to read "Peter M. Douglas".

(f.v.m)

PETER M. DOUGLAS
Executive Director

ND-002-08 (U.S. Coast Guard)

Page 2

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

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March 6, 2008

Don L. Brubaker
Sub-Complex Manager
Tijuana Slough and San Diego Bay
National Wildlife Refuges
U.S. Fish and Wildlife Service
301 Caspian Way
Imperial Beach, CA 91932

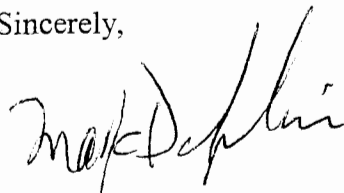
Subject: Negative Determination ND-003-08 (3-Corners Trail Re-Routing Project, Tijuana Slough National Wildlife Refuge, San Diego Co.)

Dear Mr. Brubaker:

The Coastal Commission staff has reviewed the above-referenced negative determination. The U.S. Fish and Wildlife Service (Service) proposes to re-route a portion of the 3 Corners Trail on the Tijuana Slough National Wildlife Refuge. The proposed work entails re-routing approximately 334 linear feet of an existing equestrian/hiking trail that is eroding, adversely affecting sensitive salt marsh habitat, and creating a public safety hazard. The proposed new alignment would require approximately 535 linear feet of new trail construction 200 feet to the east of the existing trail. However, this new route will follow the alignment of an existing, unimproved pathway that currently runs through a mix of native and exotic invasive upland vegetation. The proposed trail will not cross over or affect salt marsh habitat. Abandoning the existing section of trail that runs adjacent to a tidally-influenced channel will allow emerging salt marsh vegetation to naturally expand across this reach of trail. In addition, the abandoned trail segment would be recontoured to promote natural recruitment of native species and some native species will be planted to accelerate revegetation. The proposed project would lead to water quality improvements and reduced impacts to salt marsh habitat as trail maintenance work along the eroded section would terminate, and equestrians and hikers would no longer cross through and travel alongside the tidally-influenced channel. The three or four days of construction work would occur outside the migratory bird nesting season and outside of suitable habitat for the endangered least Bell's vireo and clapper rail.

In conclusion, the Coastal Commission staff **agrees** that the proposed trail re-routing project at the Tijuana Slough National Wildlife Refuge 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 "Peter M. Douglas". The signature is fluid and cursive, with the first name "Peter" being the most prominent.

(for)

PETER M. DOUGLAS
Executive Director

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

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February 20, 2008

Dana Zertuche
Engineer Environmental Planner
Flood Control Water Agency
Santa Barbara County Public Works Department
123 East Anapamu Street
Santa Barbara, CA 93101

Subject: No Effects Determination NE-004-08 (Debris basin management on fourteen waterways between Carpinteria and Goleta, Santa Barbara Co.)

Dear Ms. Zertuche:

The Coastal Commission staff has reviewed the above-referenced no-effects determination for a one-year extension of your previous five-year no-effects determination (NE-067-03) for debris basin management for 17 debris basins located on 14 different waterways between Carpinteria and Goleta, in the foothills of the Santa Ynez Mountains along the south coast of Santa Barbara County. The Commission staff previously concurred with no-effects determination for similar five-year maintenance plans in 1996 (NE-089-96) and in 2003 for the aforementioned NE-067-03. The County reports that it will be applying for a new five-year Regional General Permit (RGP) for debris basin maintenance from the U.S. Army Corps of Engineers in 2009. Given that NE-067-03 expires in September 2008, the County is requesting a one-year extension such that it can concurrently apply for a new five-year RGP from the Corps and a new five-year no-effects determination from the Commission. The Commission staff previously agreed that the five-year debris basin maintenance plans would not adversely affect coastal zone resources. We therefore **concur** with your one-year extension (NE-004-08) of the existing five-year no-effects determination NE-067-03. 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", written over a white background.

(for)

PETER M. DOUGLAS
Executive Director

cc: CCC – South Central Coast District
Corps of Engineers – Ventura Field Office

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March 10, 2008

Ronald J. Dow
Director, Environmental Division
Naval Base Ventura County
ATTN: Emilie N. Lang
311 Main Road, Suite 1
Point Mugu, CA 93042-5033

Subject: Negative Determination ND-005-08 (Repair and maintenance of Naval Surface Warfare Canal at Naval Base Ventura County)

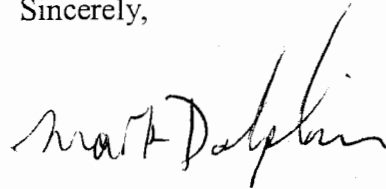
Dear Mr. Dow:

The Coastal Commission staff has reviewed the above-referenced negative determination. The Navy proposes to repair eroded sections of the Naval Surface Warfare Center Canal, specifically two sections of eroded canal banks adjacent to Logistics Way and the surface parking lots at Buildings 441, 442, and 445. The canal conveys stormwater flows from the surrounding uplands on the base into Port Hueneme Harbor. Over time, a minimal amount of rip rap was placed at various locations on the canal banks to prevent erosion of the steep and unstable banks. However, the Navy reports that erosion of the soft clay and sands that comprise the canal banks continues to advance such that a roadway and parking lots are now undermined. If the canal banks are not repaired and protected, Logistics Way will be breached and parking areas will be lost. The proposed work would occur along 590 linear feet of the southwest bank and 350 linear feet along the northeast bank. Repairs include excavation and removal of existing eroded soils, placement and compaction of fill material along the banks to create a 45 degree face, and placement of three layers of rip rap on the engineered fill slopes. The project requires approximately 818 cubic yards of soil material and 3,000 tons of rip rap.

All of the canal bank repair work will be conducted using machinery positioned outside of the canal. The horizontal footprint of the repaired southwest bank slope would be 29 feet, and two feet would extend below the ordinary high water mark. The horizontal footprint of the repaired northeast bank slope would be 20 feet, and three feet would extend below the ordinary high water mark. The canal itself does not contain any wetlands or environmentally sensitive habitat that would be disturbed by the bank slope repairs. The proposed repairs are expected to improve water quality in Port Hueneme Harbor by reducing the transport of eroded bank soils into harbor waters located approximately 1,000 feet to the southeast. In addition, silt fences and other best management practices will be implemented during the construction period to prevent any materials from entering the wetted portion of the canal.

In conclusion, the Coastal Commission staff **agrees** that the proposed canal repairs at Naval Base Ventura County 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,



(for) PETER M. DOUGLAS
Executive Director

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

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March 5, 2008

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

Attn: Emilie Lang


Dear Mr. Dow:

RE: **ND-006-08**, Negative Determination, Navy, MV-1 Wetland Restoration Project, Point Mugu, Naval Base Ventura County

The Coastal Commission staff has reviewed the above-referenced negative determination for the removal of non-native vegetation and breaching of a berm to promote tidal flushing at Point Mugu, Naval Base Ventura County. The site is called "MV-1" and is located in an upland transitional area west of the airstrip at Pt. Mugu. The project will result in replacement of non-native vegetation with native vegetation, and a six-foot wide portion of an existing berm will be removed to promote tidal inundation to the site, which will allow the re-establishment of historic wetland vegetation and assist in removal of invasive iceplant. Upon completion, the project will result in restoration of one half acre of upland/wetlands.

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 C.F.R. Section 930.35. If you have any questions, please contact Mark Delaplaine of the Coastal Commission staff at (415) 904-5289.

Sincerely,


(A) PETER M. DOUGLAS
Executive Director

cc: Ventura District Office
Army Corps, Ventura Field Office

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February 29, 2008

CMDR M.P. Oestereicher
Public Works Officer
Naval Base Point Loma
140 Sylvester Road
San Diego, CA 92106-3521

CMDR S.J. Bergan
Public Works Officer
Naval Base Coronado
San Diego, CA 92135-7033

Subject: Negative Determination ND-008-08 (Upland and in-water electronic testing equipment installation and operation and Naval Base Point Loma and Naval Base Coronado, San Diego)

Dear CMDRs Oestereicher and Bergan:

The Coastal Commission staff has reviewed the above-referenced negative determination. The Navy proposes to install an Electro-Magnetic Roll (EMR) testing facility in bay waters at Naval Base Point Loma (NBPL), and an Assessment and Identification of Mine Susceptibility Multi-Influence Measurement System (AMIMS) facility in the Pacific Ocean off shore of the Silver Strand Training Complex at Naval Base Coronado (NBC). The EMR facility will provide an in-water magnetic field to calibrate minesweeper shipboard degaussing systems and to measure stray magnetic fields associated with ship generators and on-board electrical items. The proposed facility would be located adjacent to existing EMR facilities at Point Loma. The AMIMS facility will provide a measurement system that allows for the collection and analysis of simultaneous, near-field acoustic and magnetic data, and the provision of periodic acoustic and electromagnetic signature measurements of U.S. Navy M-Class ships to determine ship susceptibility to sea mines. The proposed facility would serve as the only AMIMS site on the west coast of the United States to support Navy M-Class ship operations.

The proposed EMR facility at NBPL would include: (1) demolition of an existing shed and construction of a two-story replacement EMR control building within the developed upland portion of the submarine base adjacent to the existing EMR boat slip; (2) removal of an existing power cable on the bay floor and installation of a replacement power cable on the bay floor connecting the new control building and the EMR boat slip; (3) construction of a 1,400 sq.ft. concrete pile supported electrical power substation platform adjacent to the existing boat slip; (4) installation of power cables and magnetometer tubes on the bay floor within the boat slip; and (5) installation of Z- and Y- cable loops on the bay floor within and adjacent to the boat slip.

The proposed AMIMS facility at NBC would include: (1) construction of a six-car parking lot, security fencing, lighting, and a one-story AMIMS signature measurement building on the site of an existing paved parking area; (2) construction of a fiber reinforced polymer truss AMIMS structure (100' by 20' and rising 15 feet above the seafloor) to house magnetometers, three passive hydrophones, electrical sensors, and fiber optic cable; (3) installation of a one-mile-long fiber optic data/power cable to connect the upland building and a junction box located on the seafloor approximately 100 feet seaward of the mean lower low water line (the initial 0.5-mile-long section from the upland building will be tunneled underground to avoid disturbing the shoreline, and the remaining 0.5-mile-long segment will be laid on the seafloor); (4) installation of eight magnetometer cables and three hydrophone cables (anchored to the seafloor) to connect the junction box and the offshore AMIMS structure located approximately 1.25 miles offshore of NBC. The proposed array is a passive type of electronic measurement system that does not emit a sonar or electronic signal or create noise during operations.

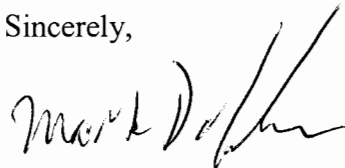
The two proposed facilities will not affect public access or recreation. Both upland sites and the in-water EMR site are closed to public access for military security and public safety reasons. The offshore AMIMS structure, while located in an area used extensively by the Navy currently and historically for NBC training activities, is located in state waters, will be completely submerged, and would not restrict public boating or other recreational activities. All upland construction will occur in previously developed areas, with the exception of the proposed AMIMS cable route which would pass underground through western snowy plover critical habitat. An existing Biological Opinion issued by the U.S. Fish and Wildlife Service in 2005 (*FWS-SDG-3452.3 and FWS-SDG-3908.4*) includes management strategies that will be incorporated by the Navy into the proposed project to minimize the potential for adverse impacts to snowy plover critical habitat. In-water installation activities (pile driving at NBPL, anchoring cables and the AMIMS array to the seafloor) will generate temporary adverse effects to the marine environment, primarily due to short-term increases in turbidity and underwater noise. The bay floor at the EMR project site is comprised of soft bottom, unvegetated silty habitat, and the AMIMS site offshore of NBC is comprised of sandy sediments devoid of any hard bottom reef habitats. The proposed structures at both locations would not create any adverse effects to sensitive marine habitat or species. The concrete pilings supporting the proposed power substation platform at the EMR project site will provide new vertical hard surfaces for benthic habitat colonization; this project feature will serve as adequate mitigation for platform shading impacts on the deep water habitat at this location.

Under the federal consistency regulations (Section 15 CFR 930.35(a)), 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." The proposed project contains upgrades to the NBPL EMR facility similar to Navy projects previously concurred with by the Commission or its Executive Director (e.g., CD-028-01, ND-006-07).

In conclusion, the Coastal Commission staff **agrees** that the proposed EMR testing facility at Naval Base Point Loma and the proposed AMIMS facility at Naval Base Coronado 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 Douglas", written in a cursive style.

(for) PETER M. DOUGLAS
Executive Director

cc: CCC – San Diego Coast District
U.S. Navy – Kathryn Ostapuk

P. Douglas

CALIFORNIA COASTAL COMMISSION

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



March 4, 2008

Joshua Burnam, MPH, D.Env.
Anchor Environmental
28202 Cabot Road, Suite 620
Laguna Niguel, CA 92677

Subject: No-Effects Determination NE-009-08 (Ocean disposal of Dover Shores Community Association dredged material, City of Newport Beach, Orange Co.)

Dear Dr. Burnam:

The Coastal Commission staff received the above-referenced no-effects determination, submitted by your office on behalf of the Dover Shores Community Association, for ocean disposal of up to 30,000 cubic yards of material to be dredged from the Dover Shores Community Association marina in Newport Beach. The disposal site is the EPA-approved LA-3 ocean disposal site. The maintenance dredging element of the project does not require a coastal development permit because it involves less than 100,000 cubic yards of material. The proposed dredged materials range in size from 68 to 99 percent silt and clay and are therefore not suitable for beach nourishment or nearshore disposal. U.S. EPA has also determined that the dredged materials are suitable for unconfined ocean disposal based on chemistry and bioassay testing conducted in support of the Corps' Regional General Permit 54, whose geographic area includes the proposed project.

The Commission staff concurs with your no-effects determination. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink that reads "Mark Douglas".

(for)

PETER M. DOUGLAS
Executive Director

cc: CCC - South Coast District

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March 26, 2008

Brian O'Neill
General Superintendent
Golden Gate National Recreation Area
National Park Service
ATTN: Steve Ortega
Fort Mason
San Francisco, CA 94123

Subject: Negative Determination ND-010-08 (Dias Ridge Restoration and Trail Improvement Plan, Marin Co.)

Dear Mr. O'Neill:

The Coastal Commission staff has reviewed the above-referenced negative determination. The Golden Gate National Recreation Area (GGNRA) proposes to remove non-designated trails, replace or rehabilitate poorly aligned and eroding segments of the Dias Ridge Trail, and restore closed and non-designated trail segments to native habitat. GGNRA proposes to construct a sustainable multi-use trail alignment, repair and replace culverts and other drainage structures, improve trailhead signage, and install a 25-foot-long bridge across Frank Valley Creek at the Golden Gate Dairy trailhead. The Dias Ridge Trail is a former ranch road/fire road that extends three miles from the Mt. Tamalpais State Park fire gate on the Panoramic Highway just north of its intersection with State Highway 1 to the Golden Gate Dairy near the intersection of Muir Woods Road and State Highway 1. The existing, poorly aligned trail traverses steep hillsides, often exceeds a 25% grade, and has drainage and erosion problems at numerous locations. Erosion on this deteriorated trail and on other non-designated trail segments on Dias Ridge contributes to sedimentation and water quality degradation in Redwood and Green Gulch creeks, and adversely affects habitat for threatened and endangered species, including the central California coastal steelhead, central California coastal coho salmon, California red-legged frog, and northern California spotted owl.

Restoration and reconstruction of the trail would greatly improve visitor access and recreation opportunities in this area of the GGNRA. The entire length of the reconstructed trail will be open to hikers, bicyclists, and equestrians, will serve as an important link in the Bay Area Ridge Trail, and will provide a safe, alternate route to Muir Beach by allowing trail users to avoid the dangerous road shoulder of State Highway 1. Construction would periodically interrupt use of the existing trail but advance notice of trail closures would be provided in a variety of formats to minimize adverse access and recreation impacts. The visual environment in the project area is currently degraded due to eroded slopes and gullies associated with the existing trail alignment.

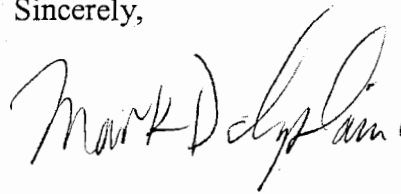
After restoration and revegetation is complete, scenic views to and from Dias Ridge would be significantly improved.

Unlike the existing trail, the new trail alignment would avoid wetland and seep areas. Wetlands affected by the existing trail will be restored using native vegetation derived from seed materials collected onsite. Temporary impacts to riparian and wetland vegetation may occur along the trail corridor due to construction and restoration work, but any plant communities that are damaged would be restored in kind, using local seed and plant sources. Construction of the trailhead bridge at Golden Gate Dairy would not require construction within or the discharge of fill into Frank Valley Creek. Best management practices to protect water quality and reduce erosion and sedimentation into Redwood, Green Gulch, and Frank Valley creeks will be used in conjunction with a Storm Water Pollution Prevention Plan.

Three acres of native upland plant communities would be removed due to construction of the new trail and eleven acres of native plant habitat will be restored along the alignment of the existing trail and non-designated trail segments on Dias Ridge. Trail realignment and restoration will increase the opportunities for special status plant communities to become established on the ridge. Construction will occur outside the breeding seasons of raptors, bats, and land birds that frequent Dias Ridge. If necessary, surveys will be completed and buffer zones established for these species. A U.S. Fish and Wildlife Service or California Department of Parks and Recreation approved biologist will inspect construction zones for California red-legged frogs and if frogs are discovered, no work would commence until the frogs move out of the construction site.

In conclusion, the Commission staff **agrees** with the National Park Service's determination that the proposed project will not adversely affect coastal zone 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,



(for)

PETER M. DOUGLAS
Executive Director

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

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March 10, 2008

Laurie H. Suda
Chief, Environmental Section B
San Francisco District
U.S. Army Corps of Engineers
ATTN: Roger A. Fernwood
1455 Market Street
San Francisco, CA 94103-1398

Subject: Negative Determination ND-011-08 (Dredged material disposal at SF-8 ocean disposal site, San Francisco)

Dear Ms. Suda:

The Coastal Commission staff has reviewed the above-referenced negative determination for the disposal of between 575,000 and 925,000 cu.yds. of material from the maintenance dredging of the San Francisco Bar Channel. Disposal of the sandy material is proposed in the western half of the SF-8 ocean disposal site. Sediment testing indicates the material is over 98% sand and is free of chemical contaminants. The proposed disposal at SF-8 would benefit local sand supply as sand placed here would serve to replenish downcoast beaches. The Commission has previously reviewed and authorized maintenance dredging of the Bar and Main Ship Channels with disposal at SF-8 (e.g. ND-032-07, ND-062-05, ND-012-04, ND-005-03, ND-004-02, ND-009-01, ND-018-00, and ND-010-98).

In conclusion, the Commission staff **agrees** with the Corps' determination that the proposed project will not significantly affect coastal resources and that it is the same as or similar to previously reviewed projects. We therefore **concur** with your negative determination for the project 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 handwritten signature in black ink, appearing to read "Peter M. Douglas".

(for) PETER M. DOUGLAS
Executive Director

cc: North Central District Office