

## CALIFORNIA COASTAL COMMISSION

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ENERGY, OCEAN RESOURCES, AND FEDERAL CONSISTENCY DIVISION REPORT  
FOR THE  
MARCH 13, 2009 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
<b>E-09-002-W</b> City of Santa Cruz Water Dept.	Conduct geotechnical surveys for components of a desalination facility in offshore City of Santa Cruz.	Offshore City of Santa Cruz Santa Cruz County



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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER – DE MINIMIS**

**DATE:** February 27, 2009 **PERMIT NO:** E-09-002-W

**TO:** Coastal Commission 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:** City of Santa Cruz Water Department

**Project Location:** In the Pacific Ocean, offshore of the City of Santa Cruz, Santa Cruz County.

**Background:** The City of Santa Cruz Water Department and the City of Soquel Water District are conducting studies to determine potential locations for components of a desalination facility being planned by the two entities. The work described herein involves conducting various geotechnical tests and surveys to identify seafloor conditions in two areas offshore of Santa Cruz and determine the condition of an abandoned outfall pipe in one of the areas.

**Project Description:** The proposed work includes the following:

- Offshore Alluvial Basin Survey: The City plans to investigate a site offshore to determine its suitability for a possible subsurface intake for the City's planned desalination facility. This survey would include several profiling transects using low-energy acoustic and seismic reflection methods, and would occur in an approximately 6,000 square-foot area about 3,000 feet offshore of the Santa Cruz Pier.
- Abandoned Outfall Location and Characterization Survey: The City plans to evaluate conditions of an existing outfall that was abandoned in 1998 and to investigate seafloor conditions under and near the outfall. This survey would be similar to the survey described above, and would include diver inspection of the outfall. The outfall is located offshore between Terrace Point and Point Santa Cruz, and the survey would occur in waters out to about 2,500 feet from shore.
- Confirmatory Sampling: To help confirm whether the two areas described above are suitable for intake structures, the City would take sediment samples to "ground truth" the seismic survey data. This work would use vibracore sampling to take core samples of from seven to 30 feet deep within the two areas

**Waiver Rationale:** For the following reasons, the proposed project will not have a significant adverse effect, either individually or cumulatively, on coastal resources, and it will not conflict with the policies of Chapter Three of the Coastal Act:

- Public Access and Recreation: The work will take place offshore of Santa Cruz, a popular coastal recreation area; however, work will primarily occur at distances from shore where it will not affect swimmers, surfers, or most other recreational water users. Survey work is expected to take less than a week, so should cause little, if any, disruption of public access or recreation.
- Marine Biological Resources: The vessels used operate at relatively low speeds and the seismic surveys use low-energy acoustics at levels not expected to harm marine mammals. The survey methods to be used are authorized pursuant to a State Lands Commission General Permit for Geophysical Surveys, and are generally below the threshold of concern that would require an Incidental Harassment Authorization from the National Marine Fisheries Service for any “take” of marine mammals under the federal Marine Mammal Protection Act. Surveys would be done during daylight hours, which will allow personnel to observe and avoid marine mammals that may be in the area. The vessel crew would alter the survey pattern if needed to maintain adequate distance from marine mammals.

Important: This waiver is not valid unless the project site has been posted and until the waiver has been reported to the Coastal Commission. This waiver will be reported to the Commission at the meeting of March 11-13, 2009, in Monterey. If four or more Commissioners object to this waiver, a coastal development permit will be required.

Sincerely,

Peter M. Douglas  
Executive Director

By: \_\_\_\_\_



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Deputy Director  
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