

CALIFORNIA COASTAL COMMISSION

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ENERGY, OCEAN RESOURCES, AND FEDERAL CONSISTENCY DIVISION REPORT
FOR THE
JUNE 11, 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
E-09-007-W City of Santa Cruz Water Dept.	Conduct various geotechnical tests and surveys to identify seafloor conditions in two areas offshore of Santa Cruz for a possible desalination intake and determine the conditions of an abandoned outfall pipe.	Offshore City of Santa Cruz Santa Cruz County

IMMATERIAL AMENDMENT		
APPLICANT	PROJECT	LOCATION
E-05-005-A1 California American Water Co.	Request for a six-month extension of the operation of a temporary pilot desalination facility at Moss Landing Power Plant.	Moss Landing Power Plant Monterey County



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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER – DE MINIMIS****DATE:** May 29, 2009**PERMIT NO:** E-09-007-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:** On Santa Cruz Beach and in the Pacific Ocean, 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.

- **Transitional Zone Geophysical Survey:** To identify subsurface characteristics between the shoreline and the offshore areas noted above, the City would conduct geophysical surveys at two beach locations – at Neary Lagoon, near the Santa Cruz Pier, and adjacent to the mouth of the San Lorenzo River. Geophones deployed on the beach would pick up acoustic signals from the same type of equipment used for the offshore surveys. Work would be done concurrent with the offshore survey work.

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:** Most 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. Work on the beach will require relatively small equipment and is expected to occur for short periods during early morning hours over two or three days. Overall 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 June 10-12, 2009, 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
Energy, Ocean Resources, and Federal Consistency Division

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NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT E-05-005-A1

TO: All Interested Parties

FROM: Peter M. Douglas, Executive Director

DATE: May 29, 2009

SUBJECT: Application to amend coastal development permit No. E-05-005 granted to California-American Water Company (Cal-Am) for constructing and operating a pilot desalination facility at the Moss Landing Power Plant in Moss Landing, Monterey County.

The Executive Director has determined that the requested project change described herein may be approved as an immaterial amendment to the above-referenced coastal development permit (CDP). The amendment would allow Cal-Am to operate its pilot facility for an additional six months beyond the time originally authorized by the Commission.

Background and Project Description: On December 14, 2006, the Commission approved CDP No. E-05-005 allowing Cal-Am to construct and operate a pilot desalination facility located at the Moss Landing Power Plant, in Monterey County. The facility was to operate using up to 288,000 gallons per day of the seawater used to cool the power plant generating units and would operate only when the power plant cooling system was operating. Cal-Am would use the facility to test various types of desalination equipment and processes. Cal-Am would operate the project for up to one year, and started operations on June 19, 2008.

Requested Amendment: Cal-Am has requested its permit be amended to allow an additional six months of operations (i.e., until December 18, 2009). Cal-Am's initial schedule assumed that the facility would complete eight test runs under various conditions over the course of a year to collect adequate data for testing the equipment and processes. However, the facility has completed only three test runs to date, so it has not yet tested the full range of equipment initially proposed under the expected ambient water quality conditions – for example, the short rainy season occurred during a time the power plant was shut down. Cal-Am wishes to conduct the following studies during the next six months:

- Test an additional type of ultrafiltration system with a different flow configuration.
- Collect additional data on the reverse osmosis systems under different operating conditions.
- Operate the facility under different ambient water conditions, including presence of a “red tide” algal bloom and during part of the rainy season, to determine its ability to respond to these conditions and produce water that meets public health drinking water standards.
- Conduct additional corrosion tests.

These activities are within the scope of operations the Commission considered in its original review of the project.

Findings: The proposed amendment has been deemed “immaterial” for the following reasons:

- The project would continue to be subject to the Commission’s standard conditions adopted as part of the previously-approved CDP.
- Monitoring results and reports provided by Cal-Am over the past year have identified no adverse impacts resulting from the facility’s operations. The facility would continue to operate in conjunction with the power plant, which uses a much larger volume of water (up to several hundred million gallons per day), and would continue to operate subject to discharge, monitoring, and reporting requirements of a Regional Water Quality Control Board discharge permit.

Immaterial Permit Amendment: Pursuant to the California Code of Regulations—Title 14, Division 5.5, Volume 19, section 13166(b)—the Executive Director has determined this amendment to be IMMATERIAL.

Pursuant to section 13166(b)(1), if no written objection to this notice of immaterial amendment is received at the Commission office within ten (10) working days of mailing said notice, the determination of immateriality shall be conclusive and the amendment shall be approved.

Pursuant to section 13166(b)(2), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does not raise an issue of conformity with the Coastal Act or certified local coastal program if applicable, the immaterial amendment shall not be effective until the amendment and objection are reported to the Commission at its next regularly scheduled meeting. If any three (3) Commissioners object to the executive director’s designation of immateriality, the amendment application shall be referred to the Commission for action as set forth in section 13166(c). Otherwise, the immaterial amendment shall become effective.

Pursuant to section 13166(b)(3), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does raise an issue of conformity with the Coastal Act or a certified local coastal program if applicable, the immaterial amendment application shall be referred to the Commission for action as set forth in section 13166(c).

If you wish to register an objection to this notice, please send the objection in writing to Tom Luster at the above address. If you have any questions, you may contact him at (415) 904-5248 or via email at tluster@coastal.ca.gov.