

CALIFORNIA COASTAL COMMISSION

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



W 5

ENERGY, OCEAN RESOURCES, AND FEDERAL CONSISTENCY DIVISION REPORT
FOR THE
NOVEMBER 2, 2011 MEETING OF THE CALIFORNIA COASTAL COMMISSION

TO: Commissioners and Interested Parties
FROM: Alison Dettmer, Deputy Director
 Energy, Ocean Resources & Federal Consistency

DE MINIMIS WAIVERS		
APPLICANT	PROJECT	LOCATION
E-11-004-W Hopkins Marine Station-Stanford University & Monterey Bay Aquarium Research Institute	Install and maintain for ten years an observational and research node within the nearshore waters of the Lovers Point State Marine Reserve and Hopkins Marine Station.	Hopkins Marine Station Monterey County
E-11-006-W Orange County Coastkeeper City of Long Beach Dept. of Parks Recreation & Marine CSU – Fullerton	Create a suitable habitat for native oysters (<i>Ostrea lurida</i>) at Alamitos Bay by building a 650-sq.ft. oyster bed and attaching a small floating cage for the cultivation of native mussels and oysters to a floating dock on the Dunster Marine Reserve.	Jack Dunster Marine Reserve Los Angeles County
E-11-008-W Orange County Coastkeeper City of Newport Beach	Carry out an experimental native eelgrass (<i>Zostera marina</i>) planting effort at up to two sites within the Upper Newport Bay Ecological Reserve	Upper Newport Bay Orange County
E-11-024-W Southern California Edison Co.	Build two temporary buildings at two sites inside the Protected Area of the San Onofre Nuclear Generating Station (SONGS) facility for the project team working to replace the reactor vessel head.	San Onofre Nuclear Generating Station Protected Area, San Diego County



DE MINIMIS WAIVERS

APPLICANT	PROJECT	LOCATION
E-11-025-W Poseidon Resources Corporation	Test and compare the effectiveness of various seawater desalination techniques and equipment under different seasonal source water conditions at the Encina Power Station.	Encina Power Station San Diego County
E-11-026-W El Segundo Power, LLC	Install a new, pre-fabricated 8700-gallon capacity lube oil transfer tank within the El Segundo Generating Station complex.	El Segundo Generating Station Los Angeles County

NEGATIVE DETERMINATIONS

APPLICANT	PROJECT	LOCATION
ND-035-11 NOAA Southwest Fisheries Science Center	Demolition, restoration, and public access improvements Action: Concur , 10/5/11	Southwest Fisheries Science Center San Diego County
ND-037-11 Corps of Engineers Los Angeles District	Six-year maintenance dredging program Action: Concur , 9/26/11	Ventura Harbor Ventura County
ND-041-11 Department of the Navy	Modify existing security fencing along Pacific Coast Highway Action: Concur , 9/21/11	Naval Weapons Station Seal Beach Orange County
ND-043-11 U.S. Fish and Wildlife Service	Comprehensive Conservation Plan Action: Concur , 9/22/11	Seal Beach National Wildlife Refuge Orange County
ND-044-11 Department of the Navy	Attach plastic interlocking boat dock systems Action: Concur , 9/21/11	Naval Base Point Loma San Diego
ND-046-11 Federal Aviation Administration	Geotechnical field investigation to support runway approach lighting upgrade Action: Concur , 9/26/11	Naval Training Center boat channel adjacent to San Diego International Airport San Diego



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

DATE: October 19, 2011

PERMIT NO. E-11-004-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 (Commission) hereby waives the requirements for a coastal development permit, pursuant to Section 30624.7 of the California Coastal Act.

Applicants: Hopkins Marine Station
Stanford University
Pacific Grove, CA 93950

Monterey Bay Aquarium Research Inst.
7700 Sandholdt Road
Moss Landing, CA 95039

Project Description: The Hopkins Marine Station and Monterey Bay Aquarium Research Institute (applicants) propose to install and maintain for ten years an observational and research node within the nearshore waters of the Lovers Point State Marine Reserve. The research node would be connected to Hopkins Marine Station onshore facilities with power and data cables and would include (1) oceanographic data monitoring devices; (2) a high definition underwater video camera system; and (3) linkages to up to eight sub-nodes that could be used as platforms to provide power and data support for temporary underwater research projects and experiments.

The main research node would be an approximately four foot diameter PVC housing attached to a 500-pound mooring anchor. The node would be placed approximately 800-feet from shore in an area of sandy substrate approximately 60-feet deep and would be connected to shore with an approximately three inch diameter combined water supply hose, fiber optic data cable and 300-volt power line. Before reaching shore, the hose would be directed into an existing offshore drainage pipe connected to one of the Hopkins Marine Station onshore facilities. The main node would be installed with the use of a boat-mounted winch and directed to the seafloor by divers. Divers would also be used to bring the power/data cable from shore to the node. The cable is intended to be self-burying and would be installed in an existing soft-substrate channel from shore to the node site.

Each sub-node would be two and a half feet long and six inches in diameter and would be made from PVC. The sub-nodes would be connected to the main node with one half inch power/Ethernet cables that would be weighted to prevent buoyancy and movement. All sub-nodes and associated cables would be placed in areas of soft substrate.

The applicants also proposed to use one of the sub-nodes to facilitate a three year research project on the effects of carbon dioxide rich seawater on marine organisms. The research project would involve the installation of a series of eight clear plastic chambers, each roughly six feet long, two feet high, and two feet wide. The chambers would be fitted with monitoring devices and connected to the main research node to receive power, Ethernet, and carbon dioxide enriched seawater. Carbon dioxide enriched seawater would be pumped from shore and used to fill the experimental chambers to evaluate its effects on invertebrate marine life placed within the chambers. All equipment would be installed by trained divers.

The applicants would inform the Executive Director of the Coastal Commission (Executive Director) prior to any addition or removal of monitoring devices, experimental equipment, or support materials. The Executive Director would determine the coastal development permit requirements for the placement of additional equipment or removal of equipment and associated infrastructure.

The Monterey Bay National Marine Sanctuary and California Department of Fish and Game have reviewed and approved the proposed installation, operation, and maintenance of the research node and ocean acidification experiment.

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 Chapter 3 policies of the Coastal Act:


- The research node, sub-nodes, experimental chambers, and all associated cables and infrastructure will be placed exclusively within sand bottom sites and will avoid all kelp forest and reef habitat areas.
- All installation activities will be carried out with the use of trained divers to ensure that sensitive marine habitat areas are avoided.
- The proposed cable/hose landing would occur through existing drain pipes and conduits to minimize placement of materials on sandy beach areas and onshore ground disturbance.
- All project equipment will be regularly monitored by divers and live-feed underwater video for movement. Movement of the equipment or devices due to wave or current action or other unintentional causes will be reported to the Executive Director within 10 days. If the Executive Director determines that modifications to the projects anchoring/stability system are necessary to prevent further movement of the research nodes and equipment, the applicants will within 30 days of the Executive Director's determination submit an anchoring plan to provide additional stability or remove the equipment. The Executive Director will review the plan for adequacy and determine if a coastal development permit is required to implement the plan.

- All equipment associated with the ocean acidification experiment will be completely removed within three years of installation and all equipment associated with the research node will be removed within ten years of installation.

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 November 2-4, 2011 in Oceanside, CA. If four or more Commissioners object to this waiver, a coastal development permit will be required.

Sincerely,

CHARLES LESTER
Executive Director

By: 
ALISON DETTMER
Deputy Director

CALIFORNIA COASTAL COMMISSION

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

DATE: October 19, 2011

PERMIT NO. E-11-006-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 (Commission) hereby waives the requirements for a coastal development permit, pursuant to Section 30624.7 of the California Coastal Act.

Applicants: Orange County Coastkeeper
3151 Airway Ave., Suite F-110
Costa Mesa, CA 92626

City of Long Beach
Dept. of Parks, Recreation, and Marine
2760 Studebaker Rd.
Long Beach, CA 90814

Dr. Danielle Zacherl
California State University Fullerton
Dept. of Biological Science, Box 6850
Fullerton, CA 92834

Project Description: Dr. Danielle Zacherl of California State University, Fullerton's Biology Department, in partnership with Orange County Coastkeeper and the City of Long Beach Department of Parks, Recreation, and Marine (the applicants), propose to (a) create a 650 square foot experimental bed of native oysters (*Ostrea lurida*) on an area of intertidal mudflat within the Jack Dunster Marine Biological Reserve (Reserve) in Alamitos Bay; (b) attach a small floating cage for the cultivation of native mussels and oysters to a floating dock on the southwest perimeter of the Reserve (to be used as an educational aid during workshops and school field trips); and (c) install onshore within the Reserve an interpretive sign. Native oysters are currently present in Alamitos Bay and oyster reefs have historically been present in the project area.

The oyster reef and an unaffected control area would be monitored every six months for two years following initial installation of the reef to evaluate the success of the reef as native oyster habitat and its effects on water quality, biodiversity, and adjacent habitat. The control

site was selected to establish a reference against which changes at the reef could be measured and to allow the effects of natural variability to be considered.

The goal of the project is to establish a functional native oyster reef that has: (1) greater than 70% cover of oyster shell within the 650 square foot project site; (2) an increase in native oyster density on the constructed oyster bed relative to the control plot and relative to remnant oyster population densities on non-bed habitat; (3) an increase in native epifaunal diversity in the oyster bed versus the control plot; (4) no adverse effects on downstream water quality; (5) no augmentation of non-native oyster density relative to native oyster density; (6) no loss of eelgrass biomass adjacent to the oyster bed relative to baseline and control sites. At the end of the two year monitoring period, if these project goals have been met the oyster reef would remain in place indefinitely. If the oyster bed has suffered a reduction of greater than 30% in size or depth due to burial or sinking after two years, additional oyster shell may be added to maintain the target bed depth and dimensions.

The applicants have received authorization for the project from the California Department of Fish and Game, State Water Quality Control Board, and U.S. Army Corps of Engineers and would adhere to all specific requirements of these agencies.

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 Chapter 3 policies of the Coastal Act:

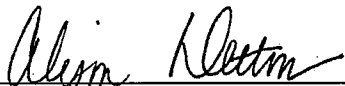
- The applicants will carry out biannual monitoring of the water quality, biodiversity, and habitat at and around the reef for two years after initial reef placement and annual reports will be submitted to the Executive Director within 60 days of completion of each year's final monitoring and data processing activities. The final monitoring report will include a comprehensive evaluation of the project and its performance relative to the six project goals listed above. If the Executive Director determines that the project fails to meet any of these six goals at the end of two years, the applicants will within 90 days of that determination apply for a coastal development permit to remove the oyster reef.
- The applicants will carry out all reef installation activities at low tide with the use of snowshoes to limit affects on water quality and the disturbance of soft sediment mudflats in the project area.
- The proposed reef site does not support eelgrass and is entirely located within an intertidal mudflat area that is above the typical growth range and elevation of eelgrass in the project area.
- Eelgrass beds adjacent to the oyster reef site will be monitored as part of the applicants' two year post-project monitoring effort. Surveys will be prepared and carried out in full compliance with the National Marine Fisheries Service's *Southern California Eelgrass Mitigation Policy* Revision 11 and in consultation with DFG. Annual survey reports will be submitted to the Executive Director no more than 60 days after the completion of survey and data processing activities. Although adjacent beds are not expected to be affected by the reef, if the Executive Director determines that eelgrass beds adjacent to the oyster reef site have been adversely impacted by the new oyster reef, the applicant will

within 90 days of the Executive Director's determination submit an eelgrass restoration plan to replace the impacted eelgrass at a minimum 1.2:1 ratio (mitigation:impact) on-site and in accordance with the *Southern California Eelgrass Mitigation Policy* Revision 11. The Executive Director shall review the plan for adequacy and determine if a coastal development permit is required to implement the plan. If a permit is required, the applicants will submit a coastal development permit application within 90 days of the Executive Director's determination.

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 November 2-4, 2011 in Oceanside, CA. If four or more Commissioners object to this waiver, a coastal development permit will be required.

Sincerely,

CHARLES LESTER
Executive Director

By: 
ALISON DETTMER
Deputy Director

CALIFORNIA COASTAL COMMISSION

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



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

DATE: October 19, 2011

PERMIT NO. E-11-008-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 (Commission) hereby waives the requirements for a coastal development permit, pursuant to Section 30624.7 of the California Coastal Act.

Applicants: Orange County Coastkeeper	City of Newport Beach
3151 Airway Ave., Suite F-110	3300 Newport Blvd.
Costa Mesa, CA 92626	Newport Beach, CA 92663

Background and Project Description: The Orange County Coastkeeper and the City of Newport Beach, propose to carry out an experimental native eelgrass (*Zostera marina*) planting effort at up to two sites within the Upper Newport Bay Ecological Reserve. The outplanting work would be carried out over two years, testing three different eelgrass planting/seeding techniques - temporary wire planting frames, seed filled mesh bags attached to buoys, and direct diver transplantation. The applicants would conduct four years of follow-up monitoring to gauge the success of each technique. The goals of the project are (1) to create new eelgrass beds within areas of upper Newport Bay that currently support very limited eelgrass habitat; (2) determine which of the three tested restoration techniques is most successful at creating eelgrass habitat; and (3) use the best technique to create up to 2.5 acres of additional eelgrass habitat in upper Newport Bay.

The diver transplant and frame transplant techniques require mature eelgrass plants to be collected from within existing eelgrass beds. The applicants propose to harvest eelgrass from several persistent eelgrass beds in lower Newport Harbor at the inner Linda Isle Inlet and west Harbor Island. If these two sites are not able to provide a sufficient supply of eelgrass, the applicants would also harvest eelgrass from beds in the outer channels of Linda Isle, the west end of Balboa Island, and Mariner's Mile. Collection of materials for the buoy-deployed seeding technique would also be carried out within the donor beds described above but would involve selective harvest of only the flowering shoot/seed stalk portion of the eelgrass plant without disturbing the remaining blades or roots. The applicants have received authorization

from the California Department of Fish and Game (DFG) and National Marine Fisheries Service (NMFS) to collect eelgrass from these sites.

Also, the applicants have coordinated with the staff of the County of Orange, Regional Water Quality Control Board, and California State Lands Commission during the development of the proposed project and incorporated those agencies' recommendations into the design of the project.

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 Chapter 3 policies of the Coastal Act:

- Within 30 days of the initiation of project activities, the applicants will carry out an underwater survey of the project planting and donor sites to determine if sensitive or invasive species are present. Survey results will be submitted to the Executive Director for review prior to the initiation of planting or harvest activities. If sensitive species or habitats, or species of invasive aquatic vegetation, are observed within a proposed planting or donor site during these surveys, no planting or harvest shall occur at that site. If the applicants propose an alternative planting site(s), they shall submit an application for a coastal development permit to authorize any alternative site(s).
- The applicants will implement specific measures to limit the harvest of eelgrass restoration stock from proposed donor beds to the maximum extent feasible. For example, no more than ten percent of an existing bed will be harvested for transplanting purposes, plants harvested will be taken in a manner to thin an existing bed without leaving any noticeable bare areas, and whenever possible, flowering shoots would be collected from plants harvested for transplantation.
- All harvest activities will be carried out by hand through the use of trained divers/snorkelers.
- The applicants will implement sensitive species avoidance and protection measures that were developed in collaboration with DFG.
- All eelgrass donor sites will be surveyed on an annual basis for no less than four consecutive years after harvest occurs to determine if any eelgrass was adversely impacted and to document any recovery that occurs. Surveys will be prepared and carried out in full compliance with the National Marine Fisheries Service's *Southern California Eelgrass Mitigation Policy* Revision 11 and in consultation with DFG. Annual survey reports will be submitted to the Executive Director no more than 60 days after the completion of survey and data processing activities.
- If the Executive Director determines that any harvested eelgrass donor bed has not fully recovered after a maximum of two growing seasons after the completion of harvest activities, the applicants will within 90 days of the Executive Director's determination submit an eelgrass restoration plan to replace the impacted eelgrass at a minimum 1.2:1 ratio (mitigation:impact) on-site and in accordance with the *Southern California Eelgrass Mitigation Policy* Revision 11. The Executive Director will review the plan for adequacy and determine if a coastal development permit is required to implement the plan. If a

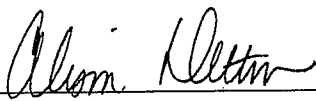
permit is required, the applicants will submit a coastal development permit application within 90 days of the Executive Director's determination.

- All planting devices and materials (buoys, transplant frames, and anchors) will be removed within approximately six weeks of planting.

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 November 2-4, 2011 in Oceanside, CA. If four or more Commissioners object to this waiver, a coastal development permit will be required.

Sincerely,

CHARLES LESTER
Executive Director

By: 
ALISON DETTMER
Deputy Director

CALIFORNIA COASTAL COMMISSION

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

DATE: October 19, 2011

PERMIT NO. E-11-024-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 (Commission) hereby waives the requirements for a coastal development permit, pursuant to Section 30624.7 of the California Coastal Act.

Applicant: Southern California Edison Company
Corporate Environment Health & Safety
1218 South 5th Ave.
Monrovia, CA 91016

Background and Project Description: Southern California Edison Company (SCE) proposes to build two temporary buildings at two sites within the San Onofre Nuclear Generating Station (SONGS) facility to house their project team working to replace the original reactor vessel closure heads. The two buildings are to be onsite from October 2011 to early spring 2013. The two temporary buildings will include offices, the command center, and briefing and conference rooms. Additional characteristics of the proposed buildings include the following:

- They will be placed within the existing plant footprint in an area that was previously used for temporary trailers and storage. Specifically, the buildings will be located inside the Protected Area (high security, limited access) of the SONGS facility and not subjected to direct road traffic. Personnel and equipment traffic patterns should be consistent with normal refueling outage conditions and are not expected to be impacted by the construction, use, and demobilization of the buildings.
- The two buildings will cover approximately 9,600 square feet. They will not be more than two stories each and their maximum height will not exceed 24 feet.
- They will be disassembled in early 2013.
- They will be serviced with fire water, electricity, and telecommunications but no potable water or sanitary hook-ups will be constructed.


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 Chapter 3 policies of the Coastal Act:

- All project activities would be carried out within the industrial SONGS facility on paved or gravel areas. No vegetation removal would occur and no placement of materials or equipment would occur within habitat areas.
- Although the buildings will be visible from the beach, there will be no significant visual impacts due to the existing development at the plant that surrounds the building sites
- All project requirements concerning electrical and telecommunication connections will be met by placing such connections either underground or at ground level until connected to the temporary buildings. Once connected, cables/wires will be safely covered per OSHA regulations. Overhead connections will not be used.
- All project requirements concerning sanitation and potable water facilities will be met by existing structures adjacent to the two proposed temporary buildings.

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 November 2-4, in Oceanside, CA. If four or more Commissioners object to this waiver, a coastal development permit will be required.

Sincerely,

CHARLES LESTER
Executive Director

By: 
ALISON DETTMER
Deputy Director

CALIFORNIA COASTAL COMMISSION

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FAX (415) 904-5400

**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER – DE MINIMIS****DATE:** October 20, 2011**PERMIT NO:** E-11-025-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: Poseidon Resources Corporation

Background: This waiver would allow continued operation of an existing desalination test facility at the Encina Power Station in Carlsbad, San Diego County. The facility has operated since January 2003 under several one-year temporary waivers previously authorized by the Coastal Commission. This new waiver would allow the facility to operate until October 31, 2012, when the facility is to be removed and the site restored. The waiver would allow placement and operation of test equipment, connection to and use of the power plant cooling water system, and discharge of treated water to the cooling water system. It would also allow a small amount of the processed water (less than 1%) to be sent to laboratories for testing.

Project Location: Encina Power Station, 4600 Carlsbad Blvd., Carlsbad, San Diego County.

Project Description: The project purpose is to test and compare the effectiveness of various seawater desalination techniques and equipment under different seasonal source water conditions. The applicant has operated the facility since January 2003 in conjunction with the power plant owner, Cabrillo Power I LLC. The facility uses seawater from the Agua Hedionda lagoon after it passes through the power plant's once-through cooling system. The desalination test facility diverts up to 200 gallons per minute from the power plant's cooling system, which uses up to several hundred million gallons per day of seawater from the Agua Hedionda Lagoon. After processing and testing, the facility would return about 99% of the water to the existing power plant discharge, which is then discharged through a nearshore structure to the Pacific Ocean. Water not returned to the discharge is sent to laboratories for testing.

The facility includes sled-mounted desalination test equipment, a 500-gallon raw water tank, 500-gallon filter tank, pump/instrumentation skid, reverse osmosis equipment, operations office, and storage. The equipment covers less than 1500 square feet, and the tallest equipment is about 20 feet high. The facility is located on a parking lot west of the power plant, and covers about 30 of the plant's 184 parking spaces.

The project has been reviewed and approved by the San Diego Regional Water Quality Control Board. The Board determined that discharges from the proposed project would conform to the discharge limits of the power plant's existing NPDES permit, although it required additional sampling to confirm that the desalination discharge would meet those limits. The project has also been approved by the City of Carlsbad, and is subject to a City building permit, electrical permit, and Fire Marshal approval.

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 the policies of Chapter Three of the Coastal Act:

- The project is not expected to alter the existing water quality in Agua Hedionda or the nearshore discharge area of the Pacific Ocean, as it uses water already being used by the power plant and discharges recombined desalted water and brine back into the power plant's existing discharge at a rate well below 1% of the power plant's expected discharge volumes.
- There is little risk for movement of hazardous material offsite, as the project is located within the power plant boundaries and is subject to the plant's safety, hazardous material, and emergency response plans, as well as Fire Marshal review.
- The project takes place on an existing paved area within an existing industrial site. It does not require vegetation removal and it will have minimal impacts on other natural resources. The project site is surrounded by mature trees that screen the facility from passing motorists on Carlsbad Boulevard, so the project does not adversely affect visual resources.
- The project is not anticipated to limit or alter coastal access. The equipment covers about 30 of the 184 existing parking spaces within a restricted access area at the power plant. As part of a previous waiver application, the applicant stated that a recent parking survey showed the maximum parking demand at the plant was about 100 spaces, so the project will only take up what is considered excess parking capacity.

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 November 2-4, 2011 in Oceanside. If four or more Commissioners object to this waiver, a coastal development permit will be required.

Sincerely,

CHARLES LESTER
Executive Director

By: Alison J. Dettmer

ALISON J. DETTMER
Deputy Director,
Energy, Ocean Resources, and Federal Consistency Division

CALIFORNIA COASTAL COMMISSION

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER – DE MINIMIS****DATE:** October 20, 2011**PERMIT NO:** E-11-026-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: El Segundo Power, LLC**Project Location:** El Segundo Generating Station, 301 Vista del Mar, El Segundo, Los Angeles County.

Background: El Segundo Power, LLC operates the El Segundo Generating Station (ESGS) located near the shoreline at Dockweiler State Beach. Pursuant to a 2010 approval by the Energy Commission (#00-AFC-14C), ESGS was recently modified by replacing its former “once-through cooled” generating units with new units that do not require the use of seawater for cooling.

Project Description: The applicant proposes to install a new, pre-fabricated lube oil transfer tank within the ESGS complex. The 8700-gallon capacity tank would be used for temporary oil storage during cleaning of the power plant’s main lube oil tank, which is estimated to occur over a period of about two to 12 weeks per year. To reduce the risk of spills, the tank would be double-walled and would be surrounded by concrete berms sufficient to contain any spills.

Project activities include removal of existing asphalt and bollards, construction of a new foundation, concrete containment structure and bollards, and installation of the tank. The material removed and constructed or installed would cover an area of about 15 by 30 feet. The tank would be located at an interior location within the power plant site and would not be visible from the property boundaries.

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:

- Water Quality, Marine Biology, and Spill Prevention: Work will occur within the power plant boundary in areas with existing stormwater and spill prevention measures. The tank will include containment sufficient to reduce the potential release of any spills offsite or into marine waters.
- Visual Resources: Project work will be temporary and will occur within plant boundaries in an area not visible from public viewpoints.
- Public Access: Work will take place within the power plant site in an area not subject to public access. Project workers will use parking within the power plant site rather than parking areas used by the public for shoreline access.

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 its meeting of November 2-4, 2011 in Oceanside. If four or more Commissioners object to this waiver, a coastal development permit will be required.

Sincerely,

CHARLES LESTER
Executive Director

By: 

ALISON J. DETTMER
Deputy Director
Energy, Ocean Resources, and Federal Consistency Division

CALIFORNIA COASTAL COMMISSION

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

**W 5**

DATE: October 15, 2011

TO: Coastal Commissioners and Interested Parties

FROM: Charles Lester, 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-035-11
APPLICANT:	NOAA Southwest Fisheries Science Center
LOCATION:	Southwest Fisheries Science Center, La Jolla, San Diego
PROJECT:	Demolition, restoration, and public access improvements
ACTION:	Concur
ACTION DATE:	10/5/2011

PROJECT #:	ND-037-11
APPLICANT:	Corps of Engineers, Los Angeles District
LOCATION:	Ventura Harbor, Ventura County
PROJECT:	Six year maintenance dredging program
ACTION:	Concur
ACTION DATE:	9/26/2011

PROJECT #:	ND-041-11
APPLICANT:	Department of the Navy
LOCATION:	Naval Weapons Station Seal Beach, Orange County
PROJECT:	Modify existing security fencing along Pacific Coast Highway
ACTION:	Concur
ACTION DATE:	9/21/2011

PROJECT #:	ND-043-11
APPLICANT:	U.S. Fish and Wildlife Service
LOCATION:	Seal Beach National Wildlife Refuge, Orange Co.
PROJECT:	Comprehensive Conservation Plan
ACTION:	Concur
ACTION DATE:	9/22/2011

PROJECT #:	ND-044-11
APPLICANT:	Department of the Navy
LOCATION:	Naval Base Point Loma, San Diego
PROJECT:	Attach plastic interlocking boat dock systems
ACTION:	Concur
ACTION DATE:	9/21/2011

PROJECT #:	ND-046-11
APPLICANT:	Federal Aviation Administration
LOCATION:	Naval Training Center boat channel adjacent to San Diego International Airport, San Diego
PROJECT:	Geotechnical field investigation to support runway approach lighting upgrade
ACTION:	Concur
ACTION DATE:	9/26/2011

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885



October 5, 2011

Robb Gries
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Project Planning & Management Division – Western Region
7600 Sand Point Way, N.E.
Seattle, WA 98115-6349

Subject: Negative Determination ND-035-11 (Demolition, restoration, and public access improvements at NOAA Southwest Fisheries Science Center, La Jolla, San Diego Co.)

Dear Mr. Gries:

The Coastal Commission staff has reviewed the above-referenced negative determination. The National Oceanic & Atmospheric Administration (NOAA) proposes to demolish buildings and undertake site restoration at its existing Southwest Fisheries Science Center (SWFSC) on La Jolla Shores Drive in La Jolla. The Commission previously concurred with NOAA's consistency determination CD-035-09 for construction of a replacement SWFSC facility immediately to the east of the existing facility, but that consistency determination did not address building demolitions or site restoration. NOAA's current ground lease for the under-construction replacement facility requires NOAA to return its existing site to the University of California with remaining facilities upgraded to seismically "good" condition. The University of California San Diego (UCSD) will use the remaining facilities at SWFSC to meet office and laboratory requirements for faculty and staff from the adjacent Scripps Institute of Oceanography.

The August 2011 Draft Supplemental EIS for the proposed project states that:

A portion of the existing SWFSC facility is at the edge of a 180-ft high coastal bluff. The bluff is undergoing a natural retreat process due to erosion caused by wave and tidal action and subsequent slumping, gullyng, and block failure of the cliff face . . . Four main multi-story precast concrete structures, Buildings A, B, C, and D, were built for the SWFSC in the early 1960s. Three of the four existing buildings are within 25 feet (ft) of the bluff edge. The exception is Building D.

NOAA and UCSD determined that safe and effective long-term reuse of the existing SWFSC property is best achieved by the demolition of Buildings B and C, the partial demolition of Building A, and stabilization of Building D (the foundation and structure). The proposed action consists of demolition, on-site soil stabilization, site grading, parking areas and drainage,

building upgrades, and the provision of a scenic overlook and parking for the general public, as follows:

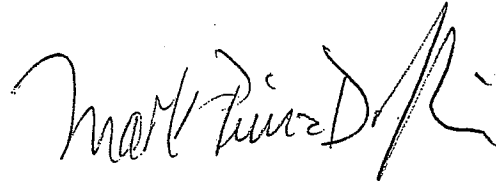
- Complete demolition of Buildings B and C and partial demolition of Building A, retaining only the mechanical equipment room on the basement level to support heating, ventilation, and other utility service functions for Building D. The plazas adjacent to the first and basement floors at Building A would be retained, as well as the elevator at the plaza providing ADA access from the north to Building D. Demolished materials will be sorted on site and approximately 75 percent of the debris is expected to be recycled.
- Excavation of two parallel trenches and installation of two rows of tieback anchors (placed in machine-drilled and cement grouted holes) and anchor blocks (comprised of reinforced shotcrete) to provide greater lateral load stabilization in the ground beneath Building D.
- Seismic retrofit of Building D through installation of shotcrete shear walls, strengthening transverse concrete shear walls and their footings, and providing a longitudinal bracing scheme. There will be no additions to the building height or width, and none of the seismic upgrades or site redevelopment measures would adversely affect existing public views towards the coast.
- Grading of open areas for parking, vehicle and pedestrian circulation, and landscaping. New parking areas would be constructed west of Building D and at the current location of Building A, and new concrete sidewalks would connect the proposed parking areas to Building D. Remaining open areas would be planted (or replanted) with native coastal, drought-tolerant species (e.g., Diegan coastal sage scrub vegetation), and the landscape plan will attempt to minimize, if not eliminate, the use of irrigation.
- Diverting storm water runoff from the proposed parking areas into a new closed conveyance system, through mechanical water treatment filters installed in a new manhole, and into the existing storm water conveyance system south of Building D. A storm water pollution prevention plan, including sediment and erosion control measures, would be implemented throughout the construction period.
- Construction of a new public overlook and five dedicated parking spaces adjacent to the southwest corner of Building D, providing unobstructed southern and western views of the coast. Currently there is no coastal viewpoint or parking available for the public at the SWFSC. Directional signage to the overlook will be installed on La Jolla Shores Drive at the intersection of Biological Grade, likely in conjunction with directional signs for a separate coastal overlook under development further to the south on UCSD property.

In addition to the proposed actions, NOAA stated in a reply to a Commission staff inquiry that in the event that bluff erosion and retreat advances to such a significant degree that Building D is

threatened, neither NOAA or UCSD will propose any future shoreline protection measures for the subject property.

The Commission staff **agrees** that NOAA's proposed demolition, stabilization, and restoration work at the existing SWFSC will not adversely affect coastal resources. The proposed project is the expected follow-up to the Commission's concurrence with NOAA's CD-035-09 for construction of a new SWFSC on an adjacent inland parcel. Demolition of Buildings B and C and partial demolition of Building A will significantly reduce risks to life and property should there be continued bluff retreat and/or a catastrophic failure of the bluff at this location. Ground stabilization and seismic retrofitting of Building D will assure the structural integrity of this facility, will not contribute to geologic instability of the bluff, and will not require the future construction of a shoreline or bluff protection device. The construction of a new coastal overlook and parking spaces for the general public will provide unobstructed shoreline and ocean views not presently available along this section of the coast. We therefore **concur** with your negative determination made pursuant to 15 CFR.930.35 of the NOAA implementing regulations. Please contact Larry Simon should you have any questions regarding this matter.

Sincerely,



(fsl)

CHARLES LESTER
Executive Director

cc: CCC – San Diego Coast District

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885



September 26, 2011

Josephine R. Axt, Ph.D.
Chief, Planning Division
Los Angeles District
U.S. Army Corps of Engineers
ATTN: Kirk Brus
P.O. Box 532711
Los Angeles, CA 90053-2325

Subject: Negative Determination ND-037-11 (Six Year Maintenance Dredging Program at
Ventura Harbor, Ventura County)

Dear Dr. Axt:

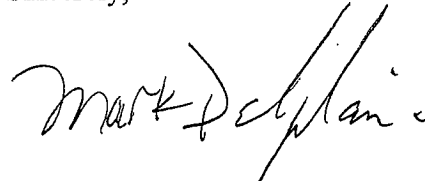
The Coastal Commission staff has reviewed the above-referenced negative determination for a six-year maintenance dredging program at Ventura Harbor. The purpose of the project is to maintain federally-authorized navigation channels, restore safe navigation within the harbor for commercial and recreational vessels, and provide beach nourishment materials for downcoast beaches eroded by littoral processes. The project includes annual dredging of between 500,000 and one million cubic yards of sandy littoral drift material from the federal entrance and navigation channels and the federal sand trap, and disposal of those sediments at South Beach, McGrath State Beach, and/or in the nearshore zone off McGrath State Beach. Dredged material would not be placed within 200 feet of the mouth of the Santa Clara River or its estuary. The sediment sampling and analysis plan (SAP) and SAP results were reviewed and approved by the Southern California Dredged Material Management Team (SCDMMT, which includes Coastal Commission staff) in December 2010 and May 2011, respectively. Based on the SAP results, the SCDMMT determined that the proposed dredged materials were suitable for discharge on the beach and/or in the marine environment. Dredging and disposal operations would be limited to the period between September 15 and March 15; single-point discharge of dredged material and prior consultation with Coastal Commission and other resource agency staff would be implemented to protect grunion runs should dredging and disposal extend beyond March 15. The Corps has included in the proposed maintenance dredging program all the successful avoidance, minimization, monitoring, and coordination measures that the Commission has previously found necessary to protect environmentally sensitive habitat (including areas supporting snowy plovers, grunions, tidewater gobies, and steelhead trout), public access and recreation, water quality, and other coastal resources.

Under the federal consistency regulations (Section 930.35), 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 Commission and its Executive Director

have concurred with a number of consistency and negative determinations for similar activities in Ventura Harbor (CD-017-89, ND-021-92, ND-035-92, ND-021-94, CD-054-94, ND-051-95, ND-103-96, CD-104-96, ND-083-97, CD-064-98, and ND-036-04). In the last two consistency items, the Commission and Executive Director concurred, respectively, with six-year maintenance dredging programs at Ventura Harbor essentially identical to the proposed six-year program, finding that the dredging and disposal activities would not adversely affect coastal resources.

In conclusion, the Commission staff agrees that the proposed six-year maintenance dredging program at Ventura Harbor is the same as or similar to consistency determinations with which we have previously concurred. We therefore concur with your negative determination made pursuant to 15 CFR Section 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) CHARLES LESTER
Executive Director

cc: South Central Coast District Office

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885



September 19, 2011

Pei-Fen Tamashiro
Acting Environmental Program Manager
Naval Weapons Station Seal Beach
800 Seal Beach Blvd.
Seal Beach, CA 90740-5000

Attn: Dr. Margaret Wallerstein

Re: **ND-041-10** Negative Determination, Navy, Modification to Existing Security Fencing
along Pacific Coast Highway, Naval Weapons Station Seal Beach, Orange Co.

Dear Ms. Tamashiro:

On December 7, 2006, the Commission staff concurred with the Navy's Negative Determination for the installation of 1600 linear ft. of security fencing to protect the Seal Beach Wildlife Refuge, on the east side of Pacific Coast Highway, at the Naval Weapons Station in Seal Beach (ND-090-06). In that concurrence letter, we noted:

The fencing would be placed adjacent to Pacific Coast Highway (PCH), south of the Anaheim Bridge and northeast of Surfside Colony. Existing "no trespassing" signs have not stopped unauthorized entry and damage to the resources of the refuge. The project is supported by the U.S. Fish and Wildlife Service, as well as the City of Seal Beach and the County Sheriff's Department.

The fence would be similar to a number of existing fences along PCH that protect other portions of the refuge, would be 7 ft. high, chain link, and topped with barbed wire. The fence will benefit, among other species, the light-footed clapper rail, the California least tern, and ghost shrimp. The fence will not block legal public access and recreation and will keep debris and erosion from unauthorized public out of sensitive areas. Views will be available through the fence, and, due to its similarity to adjacent fencing, the project is similar to nearby fencing and will not appreciably adversely affect scenic coastal public views. The project will also benefit public safety and traffic flow.

The Navy now proposes modifications to existing security fencing on the west side of the same stretch of Pacific Coast Highway, between Anaheim Bay Bridge and Kitts Highway. The Navy proposes to increase the height of the existing, 2,650 ft. long, 6 ft. high fence, to 8 ft. high, in order to comply with DOD security requirements (Department of Defense Unified Facilities Criteria 4-022-03 dated 14 June 2007). The Navy states that to meet these requirements:

... at Navy facilities the minimum height for the fencing fabric is seven feet with barbed wire attached above. To meet these security requirements, post extensions will be welded onto the existing posts and green vinyl coated chain link will be installed. The final height of the fence, including barbed wire outriggers, will be eight feet.

The Navy further states:

The proposed project will not substantially affect views available to the public and will be consistent with the industrial visual aesthetic of NAVWPNSTA Seal Beach. Enclosure 3 shows a view of the existing fence from PCH at a point where the elevation difference between the fence and PCH is the least, representing a worst case scenario. The increased height of the fence will still be below the berm shown behind the fence. Enclosure 4 shows a northward view from PCH along the fence line showing that PCH is elevated above the existing fence. Virtually all of the fence line will be outside of view lines from PCH to Anaheim Bay and the ocean. As shown in Enclosure 5, there will be a very negligible addition of fencing within the view line from PCH to the Huntington Harbor channel. However, due to the negligible amount of fencing within the sight line of the channel, the lack of a pedestrian walkway and the speed of passing motorists (speed limit is 55 mph), the additional fencing will have essentially no effect on aesthetics.

Under the federal consistency regulations (Section 930.35), 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." Due to its low elevation (i.e., its location *below* the highway) and an existing berm, as described by the Navy, this project would not affect ocean views, be barely visible, and have far less visual impact than the fence on the east side of the highway that we previously concurred with (ND-090-06). We therefore concur with your negative determination made pursuant to 15 CFR Section 930.35 of the NOAA implementing regulations. Please contact Mark Delaplaine of the Commission staff at (415) 904-5289 if you have any questions.

Sincerely,



CHARLES LESTER
Executive Director

cc: Long Beach District

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885



September 22, 2011

Andrew Yuen, Project Leader
San Diego NWR Complex
U.S. Fish and Wildlife Service
P.O. Box 2358
Chula Vista, CA 91912

Re: ND-043-11 Negative Determination, U.S. Fish and Wildlife Service, Seal Beach National Wildlife Refuge, Comprehensive Conservation Plan, Seal Beach, Orange Co.

Dear Mr. Yuen:

The Coastal Commission staff has reviewed the above-referenced negative determination submitted by the U.S. Fish and Wildlife Service (Service) for the Seal Beach National Wildlife Refuge (NWR or Refuge) Comprehensive Conservation Plan (CCP). The Service notes that:

The purpose of preparing a CCP is to provide current and future Refuge Managers with a 15-year strategy for achieving refuge purposes and contributing toward the mission of the NWRs, consistent with sound principles of fish and wildlife science, conservation, legal mandates, and Service policies. In addition to outlining broad direction for wildlife and habitat management, the CCP also identifies those wildlife-dependent recreational uses (i.e., hunting, fishing, wildlife observation and photography, and environmental education and interpretation) that are deemed compatible with Refuge purposes.

The principal elements of the plan are as follows:

1. Wildlife and Habitat Management, including:

*Invasive Plant Species Control
Upland Habitat Enhancement
Trash and Debris Removal
General Culvert Maintenance
Replacement of the Western Culverts in the Bolsa Cell
Removal of Concrete and Other Debris
Document the Health of the Refuge's Cordgrass Habitat
Increase Efforts to Inventory Refuge Species*

Implement Water Quality Monitoring
Monitor Tidal Channel Bathymetry and Channel Bank Stability
Monitor Changes Related to Climate Change and Sea Level Rise
Improve the Quality of Runoff Entering the Marsh

2. Management of Listed Species, including:

Monitoring of Listed Species
Management of NASA Island to Support California Least Tern Nesting
Actions to Improve the Reproductive Success and Genetic Diversity of the Refuge's
Light-footed Clapper Rail Population
Predator Management
Study Natural Rail Nesting Areas
Reestablish Salt Marsh Bird's-Beak

3. Habitat Restoration, including:

Restore 37 acres of disturbed upland within the Refuge to Native Habitat

4. Public Use, including:

Monthly Public Tours
Expanded Opportunities for Public Access
Wildlife Observation
Interpretation and Environmental Education

5. Cultural Resource Management and Protection

6. Refuge Operations, including:

Expanded Refuge Staff
Improve Facilities for Visitors
New Maintenance Building
Mosquito Monitoring and Control
Coordination with Naval Weapons Station Seal Beach
Support for the Friends of Seal Beach NWR
Environmental Contaminants Coordination
Integrated Pest Management (IPM); and

7. Research, including:

Encouraging/Facilitating Scientific Research where consistent with Refuge mission

The plan also includes measures that will be incorporated into future projects to avoid and minimize impacts to the environment as a result of implementing the selected plan, and covering the following areas:

General Conservation Measure for all Project Categories
Habitat and Species Protection Conservation Measures
Water Quality Conservation Measures
Air Quality Conservation Measures

The plan is consistent with and mirrors Coastal Act policy goals, such as protecting and improving sensitive wildlife habitat and water quality, and providing for (but also limiting) public access in a manner consistent with (and balancing) resource protection, public safety, and military security needs. Finally, the Service has assured that future, not yet fully-designed activities contemplated under the plan will be treated in a programmatic manner and coordinated with the Commission staff. The Services states:

Future actions intended to implement the CCP may affect natural resources, however, the extent to which these effects could occur, if at all, cannot be fully evaluated until subsequent detailed project planning (step-down planning) has been completed. As this step-down planning is completed, individual projects or groups of projects will be evaluated for consistency with the California Coastal Management Program.

With this commitment, the Commission staff agrees that the proposed conservation plan would 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 Mark Delaplaine at (415) 904-5289 if you have any questions regarding this matter.

Sincerely,



CHARLES LESTER
Executive Director

cc: Long Beach District Office

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885



September 21, 2011

CDR Patrick Hochstein
Public Works - Naval Base Point Loma
Commander, U.S. Navy
140 Sylvester Rd.
San Diego, CA 92106-3521

Attn: Suzanne Smith

Re: **ND-044-11**, U.S. Navy, Negative Determination, Attachment of Plastic Interlocking Boat Dock Systems, Naval Base Point Loma and Naval Mine & Anti-Submarine Warfare Center, San Diego

Dear CDR Hochstein:

The Coastal Commission staff has reviewed the above-referenced negative determination for the installation of two 1,155 sq. ft. plastic interlocking boat dock systems adjacent to existing piers in San Diego Bay, on the east side of the Point Loma peninsula, near the entrance to the Bay and near Shelter Island, at the Naval Base Pt. Loma and the Naval Mine & Anti-Submarine Warfare Center. The boat dock systems would float, be tied to existing piers or wrapped around existing pilings, and would be located at the Marine Mammal Pier (between the Navy Fueling Pier and the Magnetic Silencing Deperming Pier), and at Pier 619 (at the Mine & Anti-Submarine Warfare Center). The floating piers would be used to lift small water craft out of the water when not in use, which reduces maintenance needs and costs associated with removal of marine growth on vessel hulls. The systems are made of inert plastic modular cubes; no anchors or seafloor disturbance is needed. Placement in the water will avoid the least tern breeding season, and no work in the water will occur if green sea turtles or California sea lions are present. At the request of the Commission staff, the Navy has committed to monitoring the integrity of the plastic material to assure plastic debris is kept from Bay waters.

With this commitment, the Coastal Commission staff **agrees** that the proposed project would 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 Mark Delaplaine at (415) 904-5289 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles F. Lester", written over a large, sweeping flourish.

CHARLES LESTER
Executive Director

cc: San Diego District
Corps of Engineers, San Diego Field Office

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885



September 26, 2011

Michael Buonopane
U.S. Department of Transportation
RITA/Volpe Center
Infrastructure Engineering and Deployment Division
Marine Systems Section, RVT-63
55 Broadway
Cambridge, MA 02142

Subject: Negative Determination ND-046-11 (Geotechnical Investigations in support of runway guidance systems repair and replacement, San Diego International Airport, San Diego County)

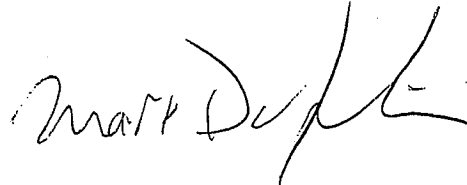
Dear Mr. Buonopane:

The Coastal Commission staff has reviewed the above-referenced negative determination. The Federal Aviation Administration (FAA) proposes to undertake geotechnical field work in support of proposed repair and replacement of the Medium Intensity Approach Lighting System (MALS) and Runway Alignment Indicator Lights (RAIL) west of Runway 9 at San Diego International Airport. This navigation equipment, in combination with other air navigation equipment at the airport, allows for east-flow landings which are required during inclement weather conditions. The lighting systems sit on six elevated platforms: four located in the San Diego Lagoon/Boat Channel and two on land west of the lagoon/channel. The platforms in the boat channel have deteriorated and must be replaced and the two land-based platforms require safety upgrades. The FAA proposes to drill three geotechnical borings in the vicinity of the existing platforms in the boat channel in order to characterize the subsurface conditions prior to completing the design of the replacement platforms. The work will be conducted from a barge and is expected to take five days to complete. The borings will not generate any turbidity as they will be drilled within a closed system inside a four-inch diameter casing embedded several feet below the mudline. Impacts to benthic habitat would be temporary and not significant. The FAA will submit a second negative determination to the Commission at a future date for the actual MALS and RAIL replacement and repair work.

In conclusion, the Commission staff agrees with the FAA that the proposed geotechnical fieldwork in the boat channel west of Runway 9 at San Diego International Airport 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 "Charles Lester", with a stylized flourish at the end.

(for)

CHARLES LESTER
Executive Director

cc: San Diego Coast District