

**CALIFORNIA COASTAL COMMISSION**

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

**F11****ENERGY, OCEAN RESOURCES, AND FEDERAL CONSISTENCY DIVISION REPORT**

FOR THE

**DECEMBER 14, 2012 MEETING OF THE CALIFORNIA COASTAL COMMISSION**

**TO: Commissioners and Interested Parties**

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

**NEGATIVE DETERMINATIONS**

APPLICANT	PROJECT	LOCATION
<b>ND-050-12</b> U.S. Fish and Wildlife Service	South Bay Bayside Binding and Walking Trail Action: <b>Concur, 11/9/2012</b>	San Diego Bay National Wildlife Refuge
<b>ND-052-12</b> <b>Department of the Navy</b>	Dredging 4,888 cu.yds., San Diego Bay Disposal at LA-5 Action: Concur, 11/28/2012	Pier 5000, Naval Base Point Loma, San Diego
<b>ND-053-12</b> Department of the Navy	Privatization of Army Lodging Action: <b>Concur, 11/26/2012</b>	Presidio of Monterey



**NEGATIVE DETERMINATIONS**

APPLICANT	PROJECT	LOCATION
<b>ND-056-12</b> U.S. Coast Guard	Repair and replace elements of the Aid to Navigation at the north end of the Channel Islands Breakwater Action: <b>Concur, 11/30/2012</b>	Channel Islands Harbor Oxnard, Ventura County

**NO-EFFECTS DETERMINATION**

APPLICANT	PROJECT	LOCATION
<b>NE-051-12</b> North County Transit District	Installation of Positive Train Control Fiber Optic Cable and Conduit Action: <b>No Effects, 10/29/2012</b>	Rail corridor parallel to I-5, Marine Corps Base Camp Pendleton, San Diego County



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# F11

**DATE:** December 7, 2012

**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]

<b>PROJECT #:</b>	ND-050-12
<b>APPLICANT:</b>	U.S. Fish and Wildlife Service
<b>LOCATION:</b>	San Diego Bay National Wildlife Refuge
<b>PROJECT:</b>	South Bay Bayside Birding and Walking Trail
<b>ACTION:</b>	concur
<b>ACTION DATE:</b>	11/9/2012

<b>PROJECT #:</b>	NE-051-12
<b>APPLICANT:</b>	North County Transit District
<b>LOCATION:</b>	RR right-of-way, Oceanside and Camp Pendleton, San Diego Co.
<b>PROJECT:</b>	Installation of Positive Train Control Fiber Optic Cable and Conduit
<b>ACTION:</b>	no effect
<b>ACTION DATE:</b>	10/29/2012

<b>PROJECT #:</b>	ND-052-12
<b>APPLICANT:</b>	Department of the Navy
<b>LOCATION:</b>	Pier 5000, Naval Base Point Loma, San Diego
<b>PROJECT:</b>	Dredging 4,888 cu. yds., San Diego Bay, Disposal at LA-5
<b>ACTION:</b>	concur
<b>ACTION DATE:</b>	11/28/2012

PROJECT #:	ND-053-12
APPLICANT:	Department of the Army
LOCATION:	Presidio of Monterey
PROJECT:	Privatization of Army Lodging
ACTION:	concur
ACTION DATE:	11/26/2012

PROJECT #:	ND-056-12
APPLICANT:	U.S. Coast Guard
LOCATION:	Channel Islands Harbor, Oxnard, Ventura County
PROJECT:	Repair and replace elements of the Aid to Navigation at the north end of the Channel Islands Breakwater
ACTION:	concur
ACTION DATE:	11/30/2012

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TDD (415) 597-5885



November 9, 2012

Andrew Yuen  
Project Leader  
U.S. Fish and Wildlife Service  
San Diego National Wildlife Refuge Complex  
1080 Gunpowder Point  
Chula Vista, CA 92910

Attn: Kurt Roblek

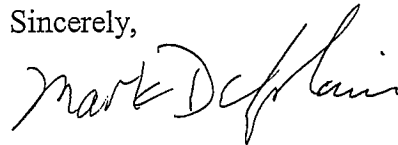
Re: **ND-050-12** Negative Determination, Fish and Wildlife Service, Construction of  
Bayside Birding and Walking Trail, South San Diego Bay, San Diego Bay  
National Wildlife Refuge

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 construction of a 2000 ft. long public trail, with observations areas and a bridge, at the South San Diego Bay Unit of the San Diego Bay National Wildlife Refuge. We agree with the Service that this project will benefit public access, public recreation, scenic public views, wildlife education, sensitive wildlife habitat, and water quality.

Thus, we **agree** with your determination that the proposed project would benefit and cause no adverse effects on coastal zone resources, and we therefore **concur** with your negative determination made pursuant to 15 CFR 930.35 of the NOAA implementing regulations. Please contact Mark Delaplaine of the Commission staff at (415) 904-5289 if you have any questions regarding this matter.

Sincerely,

  
(for)

CHARLES LESTER  
Executive Director

cc: San Diego District Office

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November 28, 2012

Timothy J. Rogers, CDR  
Public Works Officer  
Department of the Navy  
Naval Base Pt. Loma  
140 Sylveswter Rd.  
San Diego, CA 92106

Attn: Suzanne Smith

Re: **ND-052-12**, Navy, Negative Determination, Pier 5000 Dredge Project, Naval Base Point Loma, San Diego

Dear CDR Rogers:

The Navy has submitted a negative determination for the dredging of approximately 4,888 cu. yds. of sediments to slightly deepen (by 1-2 ft.) the berthing channel at Pier 5000, on the east side of Point Loma in San Diego Bay. The deepening is needed to accommodate Navy submarines that use Pier 5000. The dredge materials have been tested and are suitable for open ocean disposal, and disposal would be at the EPA-approved offshore dredge disposal site LA-5, located 5.4 nmi. offshore of Pt. Loma. The material is not suitable for beach nourishment. No eelgrass is currently located in the project area; nevertheless the Navy will perform pre- and post construction eelgrass surveys and will assure any eelgrass effects would be mitigated. The dredging would occur outside the least tern nesting season, and the Navy will include monitoring to assure marine mammals and sea turtles would not be affected.

With the measures included, we **agree** with the Navy's conclusion that the project would avoid adverse effects on coastal zone resources. 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 regarding this matter.

Sincerely,

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

(for) CHARLES LESTER  
Executive Director

cc: San Diego District Office

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November 26, 2012

James M. Willison  
Department of the Army  
US Army Garrison, Presidio of Monterey  
Directorate of Public Works  
Building 4463 Gigling Rd, P.O. Box 5004  
Monterey, CA 93944-5004

Subject: Negative Determination ND-053-12, Privatization of Army Lodging, Presidio of Monterey, City of Monterey.

Dear Mr. Willison:

The Coastal Commission staff has reviewed the above-referenced negative determination for implementing the Privatization of Army Lodging (PAL) program at the United States Army Garrison Presidio of Monterey (USAGPOM) in the City of Monterey. Implementation of the PAL program at USAGPOM would involve leasing a 3.95 acre parcel of land with two buildings (Building 366 and 367) to a private development entity (Rest Easy, LLC) to renovate, operate, and maintain the facilities. Buildings 366 and 367 were constructed in 1956 and 1966, respectively, as army lodging facilities. Building 366 is a three-story structure with a basement and 30 rooms, while Building 367 is a two-story structure with no basement and 40 rooms. Rest Easy, LLC would renovate the buildings into a Holiday Inn Express and in-fill the area between the two buildings to provide a front desk, breakfast seating area, fitness room, and business center. The intent of the program is to improve the quality of the lodging facilities for transient users by partnering with a private development entity to manage the facilities under a long-term lease.

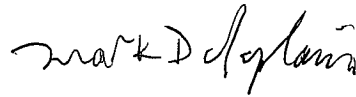
Development surrounding the subject parcel includes medical facilities to the west, barracks and lodging to the north, garages and residential housing to the east, and undeveloped land and a parking lot to the south. While the parcel is adjacent to the Presidio of Monterey Historic District, the California's State Historic Preservation Office has determined that no historical properties will be adversely affected through PAL program implementation. The planned renovation will be similar in mass and scale to the existing buildings on the parcel and consistent with the architecture of the surrounding development. The in-fill construction will remove a public view that currently exists between the buildings out to the coast to the east, but the view is not significant as it looks out on an already developed area.

Once the renovations are in place, traffic flow may increase to the area as Rest Easy, LLC would aim to maximize occupancy. However, two parking lots are located on the parcel to support

parking at the new Holiday Inn Express, and the increase in visitation will not exceed the existing road capacity. The Holiday Inn Express will function as a visitor-serving facility open to the public, a high priority use as defined by the Coastal Act. Lastly, no federally listed species or environmentally sensitive habitat areas are located on or adjacent to the subject parcel, and a storm water pollution prevention plan will be implemented during construction to minimize any potential impacts to nearby Monterey Bay.

The Commission staff agrees that the proposed project will not adversely affect coastal zone resources. The Commission staff therefore concurs with your negative determination made pursuant to 15 CFR Section 930.35. Please contact Jeannine Manna at (415) 904-5250 should you have any questions regarding this matter.

Sincerely,



(fl) CHARLES LESTER  
Executive Director

cc: Central Coast District Office



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November 30, 2012

Dave Stalters  
Chief, Environmental Division  
Civil Engineering Unit Oakland  
ATTN: Roy Clark  
2000 Embarcadero, Suite 200  
Oakland, CA 94606-5337

Subject: Negative Determination ND-056-12 (Replace Aids to Navigation at Channel Islands Harbor Breakwater, Oxnard, Ventura County)

Dear Mr. Stalters:

The Coastal Commission staff has reviewed the above-referenced negative determination. The U.S. Coast Guard proposes to replace the Aids to Navigation (ATON) located at the north end of the Channel Islands Harbor Breakwater. The breakwater rocks that support the ATON have shifted due to storm and wave activity, causing the ATON to shift and tilt such that it is now extinguished and is unsafe to service or repair. The Coast Guard proposes to remove the existing ATON, pour a new concrete footing, and install the new ATON on the concrete foundation. The removal and installation work will be completed using a crane on a barge, and is expected to take six days across a four-week work period depending on weather conditions and concrete drying time. The project is currently scheduled to occur in December 2012. The Coast Guard states that while marine mammals are not typically found on the breakwater, the contractor will ensure that a biological monitor is present on the work vessel during all construction activity, and that no work will occur if marine mammals are present on the breakwater.

The Commission staff **agrees** that the proposed project 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".

(415)

CHARLES LESTER  
Executive Director

cc: CCC – South Central Coast District

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October 29, 2012

Jay Walser, MIRSE  
Chief Rail Systems Officer  
North County Transit District  
810 Mission Avenue  
Oceanside, CA 92054

Re: **NE-051-12** North County Transit District, No-Effects Determination, Positive Train Control Fiber Optic Cable and Conduit, Camp Pendleton, Orange Co. line to Oceanside, San Diego Co.

Dear Mr. Walser:

The Coastal Commission staff has reviewed the above-referenced no-effects determination. The North County Transit District (NCTD) proposes to install 4 inch diameter fiber optic cable along the NCTD right-of-way through Camp Pendleton Marine Corps Base. The cable would be laid parallel to the tracks and would avoid sensitive habitat and wetlands, thus avoiding effects on coastal zone resources. Accordingly, we **concur** with NCTD's "no-effects" determination for this project. Please contact Mark Delaplaine at (415) 904-5289 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles F. Lester".

CHARLES LESTER  
Executive Director

cc: CCC – San Diego Coast District  
Jerry Hittleman, City of Oceanside  
USMC (Mark Anderson)