

CALIFORNIA COASTAL COMMISSION

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



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ENERGY, OCEAN RESOURCES, AND FEDERAL CONSISTENCY DIVISION REPORT
FOR THE
JULY 10, 2014 MEETING OF THE CALIFORNIA COASTAL COMMISSION

TO: Commissioners and Interested Parties

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

IMMATERIAL AMENDMENT		
APPLICANT	PROJECT	LOCATION
E-08-020-A1 West Basin Water District	Request for a 143-day extension on the desalination test facility's operating schedule at the SeaLab in Redondo Beach.	Redondo Beach Los Angeles County

NEGATIVE DETERMINATIONS		
APPLICANT	PROJECT	LOCATION
ND-0006-14 U.S. Marine Corps	Marine Corps Tactical Systems Support Activity (MCTSSA) Cantonment Area Expansion Action: Concur, 5/12/2014	Camp Pendleton Marine Corps Base, San Diego Co.
ND-0014-14 U.S. Army Corps of Engineers	Maintenance Dredging Action: Concur, 6/6/2014	Los Angeles River Estuary Long Beach, Los Angeles Co.



ND-0015-14 National Park Service/Point Reyes National Seashore	Phase II Invasive Plant Removal Action: Concur, 6/12/2014	B Ranch, Point Reyes National Seashore, Marin County
ND-0016-14 U.S. Army Corps of Engineers	Maintenance Dredging Action: Concur, 6/12/2014	Port of Los Angeles Federal Channels, Los Angeles
ND-0017-14 Bureau of Land Management	Public Access Improvements Action: Concur, 6/19/2014	Point Arena Mendocino County

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**NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT****E-08-020-A1**

TO: All Interested Parties

FROM: Charles Lester, Executive Director

DATE: June 27, 2014

SUBJECT: Application to amend coastal development permit No. E-08-020 granted to the West Basin Water District for construction and operation of a desalination test facility at the SeaLab, in Redondo Beach, Los Angeles 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 the Water District to continue operations at the test facility for an additional 143 days. No other new development is proposed.

Background and Project Description: On April 9, 2009, the Commission approved CDP No. E-08-020 allowing the West Basin Water District to construct and operate a test desalination facility at the SeaLab, a marine life education center in Redondo Beach. The facility used existing intake structures that had formerly been used by the Redondo Beach power plant. The Water District conducted various tests to determine the feasibility and effectiveness of different intake designs and materials, evaluated several pretreatment methods, and provided public education opportunities. Special Condition 2 of the approved CDP allowed the Water District to operate the facility for up to 42 months, based on West Basin's expected testing schedule, and requires West Basin to request a permit amendment for any extension of that operating period. That 42-month operating period is scheduled to end in August 2014.

Requested Amendment: West Basin has requested a 143-day extension on the facility's operating schedule. This will allow it to complete several tests they expect to complete by the end of 2014. The Water District is not proposing any changes or new development other than these continued operations.

Findings

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

- **Water Quality and Marine Biological Resources:** The existing permit allowed West Basin to draw in up to 580,000 gallons of seawater per day. In its approval of the existing permit, the Commission determined that the facility was likely to cause relatively few entrainment or impingement effects, as much of the intake water would bypass the filters and membranes that cause most of the mortality associated with these effects. In anticipating its development of a full-scale facility, West Basin is also conducting the standard one-year entrainment study normally required to identify the type and scope of entrainment. Additionally, the tests to be conducted during the proposed extension will require less than the maximum intake volumes allowed through the existing permit.
- **Public Access and Recreation:** The test would involve minor or *de minimus* effects on public access due to personnel conducting test and sampling activities; however, these effects would be well within the level of those approved by the Commission in its initial permit approval.

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.

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DATE: July 7, 2014

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-0006-14
APPLICANT:	U.S. Marine Corps
LOCATION:	Camp Pendleton Marine Corps Base, San Diego Co.
PROJECT:	Marine Corps Tactical Systems Support Activity (MCTSSA) Cantonment Area Expansion
ACTION:	Concur
ACTION DATE:	5/12/2014

PROJECT #:	ND-0014-14
APPLICANT:	U.S. Army Corps of Engineers
LOCATION:	Los Angeles River Estuary, Long Beach, Los Angeles Co.
PROJECT:	Maintenance dredging
ACTION:	Concur
ACTION DATE:	6/6/2014

PROJECT #:	ND-0015-14
APPLICANT:	National Park Service/ Point Reyes National Seashore
LOCATION:	B Ranch, Point Reyes National Seashore, Marin Co.
PROJECT:	Phase II invasive plant removal
ACTION:	Concur
ACTION DATE:	6/12/2014

PROJECT #:	ND-0016-14
APPLICANT:	U.S. Army Corps of Engineers
LOCATION:	Port of Los Angeles Federal Channels, Los Angeles
PROJECT:	Maintenance dredging
ACTION:	Concur
ACTION DATE:	6/12/2014

PROJECT #:	ND-0017-14
APPLICANT:	Bureau of Land Management
LOCATION:	Point Arena, Mendocino Co.
PROJECT:	Public Access Improvements
ACTION:	Concur
ACTION DATE:	6/19/2014

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May 12, 2014

W.J. Christensen, Head
Environmental Planning
U.S. Marine Corps
Marine Corps Installations West
Marine Corps Base Camp Pendleton
Box 555008
Camp Pendleton, CA 92055-5010

ATTN: Matthew Lorne

Re: **ND-0006-14**, U.S. Marine Corps Negative Determination, Marine Corps Tactical Systems Support Activity (MCTSSA) Cantonment Area Expansion, Marine Corps Base Camp Pendleton, San Diego Co.

Dear Mr. Christensen:

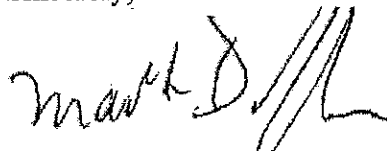
The Coastal Commission staff has reviewed the above-referenced negative determination for the expansion of Marine Corps facilities at the Marine Corps Tactical Systems Support Activity (MCTSSA) Cantonment Area, off Cockelburr Rd., west of I-5 and north of the Santa Margarita River on Marine Corps Base Camp Pendleton. The expansion would involve activities on 31 acres of land, south of and adjacent to the existing MCTSSA, and would consist of installing temporary and permanent radar antennae, two test laboratory/office buildings, with associated parking and utilities. The facilities are needed to implement Marine Corps Antiterrorism/Force Protection measures. The expansion area does not contain any environmentally sensitive habitat. It was previously farmed and is currently fallow, and the farmer formerly leasing the property has ceased operations.

The antennae and other structures would be sited and designed to avoid being within a line of sight from which predators could observe (and thus prey upon) snowy plovers present in beach areas to the west of the site. Construction noise as well would avoid effects on snowy plovers. No public access exists at the site, as it is restricted in this area due to military security needs. While the site is visible from I-5, the visual impact would be minimal: the distance from I-5 is 1,200 ft., the buildings would have low profiles, and the antennae and buildings would appear as similar to the existing MCTSSA facilities just to the north. Moreover, due to the need for clear areas around radar towers, to

maximize their operational capabilities, approximately 80+% of the site would remain undeveloped. Low-energy and LEED designed standards would be incorporated into the project. Solar panels would be designed to avoid creating any daytime glare affecting any public areas.

In conclusion, the Commission staff **agrees** with the Marine Corps that the proposed project 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 of the Commission staff at (415) 904-5289 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Lester". The signature is written in a cursive, somewhat stylized font.

(for) CHARLES LESTER
Executive Director

cc: San Diego District

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June 6, 2014

Josephine R. Axt, Ph.D.
Chief, Planning Division
Los Angeles District
U.S. Army Corps of Engineers
ATTN: Justin Denelsbeck
915 Wilshire Blvd., Suite 930
Los Angeles, CA 90017

Subject: Negative Determination ND-0014-14 (Maintenance Dredging of Los Angeles River Estuary, Long Beach, Los Angeles County)

Dear Dr. Axt:

The Coastal Commission staff has reviewed the above-referenced negative determination. The Corps of Engineers proposes to undertake maintenance dredging of the federal channel in the Los Angeles River estuary (LARE) and dispose the dredged sediments at the LA-2 ocean disposal site. The federal channel provides vessel access to Queens Way Marina, Catalina Ferry Terminal, and Rainbow Harbor, but shoaling has reduced the channel design depth from -25 feet mean lower low water (MLLW) to as shallow as -8.5 feet MLLW in some areas. This depth restricts the safe transit of larger commercial and recreational vessels. To return the federal channel (comprised of the Sand Trap, Area 1, and Area 2) to its authorized depth, the Corps proposes to dredge approximately 750,000 cubic yards (cu.yds.) of sediment across 32 acres of the channel. Either a clam shell or hydraulic suction dredge would remove the sediments and place them in a dump scow for transport to the LA-2 disposal site, located approximately six miles offshore of Long Beach. The Corps anticipates that it will take six months to complete the dredging project, which will occur between August 2014 and March 2015. The placement of LARE dredged materials at LA-2 in 2014 and 2015 will fit within the site's annual disposal limit of 1.0 million cu.yds established by the U.S. Environmental Protection Agency in 2005 when the EPA developed the *LA-2/LA-3 Ocean Dredged Material Disposal Site Management and Monitoring Plan*. The Commission reviewed and approved this plan in June 2005 when it concurred with EPA's consistency determination CD-065-05.

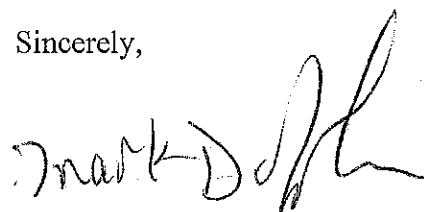
Sediment sampling test results and the Corps' proposed dredge material suitability determination were reviewed by the Southern California Dredge Material Management Team (SCDMMT, which includes Commission staff) at the team's April 23, 2014, meeting. The SCDMMT determined that the LARE dredged material is primarily sandy silt and therefore unsuitable for

use as beach nourishment material. The SCDMMT also determined that the dredged sediments are suitable for placement at the LA-2 ocean disposal site, with the exception of two locations (represented by core sediments 14 and 25) that contain PCB concentrations at levels that categorize approximately 50,000 cu.yds. of sediment as unsuitable for aquatic placement at LA-2. Sediments from these two locations will not be dredged as a part of this project and will remain in place until the Corps identifies a suitable disposal location.

There are no eelgrass beds in the dredging area due to the water depth and ambient turbidity in the federal channel. The project will create minor temporary impacts to benthic and planktonic organisms, and will create localized and temporary effects to water quality due to increased turbidity from dredging and disposal. A water quality monitoring program (including weekly measurements of salinity, pH, dissolved oxygen, temperature, and percent light transmissivity) will be implemented at sites upcurrent and downcurrent of the dredge location and at a control station outside of the dredge plume. Should monitoring indicate significant impacts to water quality in the project area, the Corps will slow the dredge cycle or, in extreme cases, deploy silt curtains to control the spread of turbidity. A water pollution prevention and control plan will also be implemented to protect against accidental spills of fuel or other hazardous materials.

In conclusion, the Commission staff **agrees** that the proposed maintenance dredging project in the Los Angeles River estuary will not adversely affect coastal resources. Corps of Engineers maintenance dredging at this location was concurred with by the Commission in 2007 (CD-035-07) and by the Executive Director in 2009 (ND-072-09). The proposed project is similar to these previous projects and will ensure safe recreational and commercial boating traffic within the federal navigation channel. We therefore **concur** with your negative determination made pursuant to 15 CFR 930.35 of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,



(for)

CHARLES LESTER
Executive Director

cc: CCC – South Coast District

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June 12, 2014

Cicely A. Muldoon
Superintendent
Point Reyes National Seashore
ATTN: Lorraine Parsons
Point Reyes, CA 94956

Subject: Negative Determination ND-0015-14 (Phase II of invasive plant removal on the B Ranch, Point Reyes National Seashore, Marin County)

Dear Ms. Muldoon:

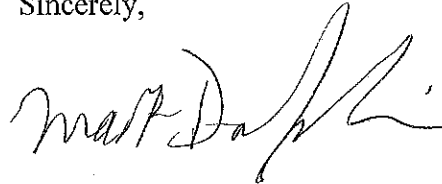
The Coastal Commission staff has reviewed the above-referenced negative determination. The National Park Service (NPS) proposes to implement Phase II of the B Ranch invasive plant removal project to protect the federally-listed Tidestrom's lupine. The B Ranch is located near the southern tip of Point Reyes, and the project area is within the dune system between South Beach and Sir Francis Drake Boulevard. The Phase I project used manual methods in 2013 to remove 15 acres of iceplant that had invaded two Tidestrom's lupine populations on the B Ranch (ND-060-12). In Phase II, the NPS proposes to use chemical treatment to eradicate approximately 15 acres of European beachgrass and iceplant stands (either intermixed with or adjacent to European beachgrass) from the perimeter of the two Tidestrom's lupine populations on the B Ranch. Chemical treatment is necessary because the rhizomes for European beachgrass extend from three to twelve feet underground, and because it can readily resprout from the smallest rhizome fragment.¹

The proposed treatments would be conducted using a backpack sprayer with a calibrated nozzle or through direct contact from wicking with a wand. No broadcast application methods would be used and numerous weather restrictions would be implemented to reduce the potential for herbicide drift from the backpack sprayer. In addition, treatments would occur in the late summer and fall to avoid the breeding season for listed species, treatments would avoid wetlands within or adjacent to the project area, buffers would be established between chemical treatment areas and wetlands, organic pastures, and other sensitive resource habitat, and drift shields would be used along the perimeter of sensitive habitat areas to eliminate the potential for herbicide drift. The NPS has received approval from the U.S. Fish and Wildlife Service to amend the Biological Opinion for the Phase I Project (BO 2013-I-0244-2) to incorporate the Phase II Project. Vehicle access to the treatment sites will use existing farm roads off of Sir Francis Drake Boulevard through grazing pastures and along fence lines.

¹ The Commission and the Executive Director have previously concurred with negative determinations for chemical treatment of invasive plant species at Point Reyes National Seashore (e.g., ND-033-12, ND-026-12, CD-026-10).

In conclusion, the Commission staff **agrees** that the proposed Phase II invasive plant removal project on the B Ranch 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". The signature is fluid and cursive, with a prominent loop at the end.

(for) CHARLES LESTER
Executive Director

cc: CCC – North Central Coast District

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June 12, 2014

Josephine R. Axt, Ph.D.
Chief, Planning Division
Los Angeles District
U.S. Army Corps of Engineers
ATTN: Justin Denelsbeck
915 Wilshire Blvd., Suite 930
Los Angeles, CA 90017

Subject: Negative Determination ND-0016-14 (Maintenance Dredging of Federal Channel Segments in the Port of Los Angeles, Los Angeles County)

Dear Dr. Axt:

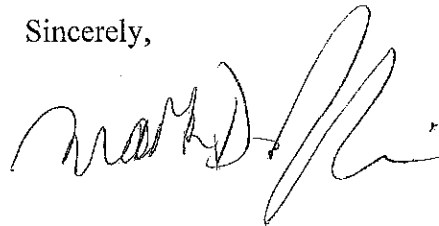
The Coastal Commission staff has reviewed the above-referenced negative determination. The Corps of Engineers proposes to undertake maintenance dredging of sections of the federal navigation channel in the Port of Los Angeles (POLA) and dispose the approximately 149,000 cubic yards (cu.yds.) of sediment at the LA-2 ocean disposal site. The -53 feet mean lower low water (MLLW) design depth of the federal channel accommodates the latest class of deep-draft container ships that call on the POLA. Shoaling at specific locations in the main channel, turning basin, and west basin necessitates proposed maintenance dredging in order to return these locations to the -53 feet MLLW design depth. Dredging across the 50-acre project footprint would use either a clam shell or hydraulic suction dredge and is scheduled to occur in March and April 2015. The placement of POLA dredge materials at LA-2 in 2015 will fit within the site's annual disposal limit of 1.0 million cu.yds. established by the U.S. Environmental Protection Agency in 2005 when the EPA developed the *LA-2/LA-3 Ocean Dredged Material Disposal Site Management and Monitoring Plan*. The Commission reviewed and approved this plan in June 2005 when it concurred with EPA's consistency determination CD-065-05.

Sediment sampling test results and the Corps' proposed dredge material suitability determination were reviewed and approved by the Southern California Dredge Material Management Team (SC-DMMT, which includes Commission staff) at the team's April 23, 2014, meeting. The Corps obtained 19 sediment core samples from across the proposed dredging footprint and these cores underwent sediment grain size analysis, bulk sediment chemistry analysis, and Tier III testing to evaluate their suitability for open water disposal. The SC-DMMT determined that the POLA dredged material is primarily sandy silt and therefore unsuitable for use as beach nourishment material, and that the dredged sediments are suitable for placement at the LA-2 disposal site based on the results of the chemical analysis and Tier III testing.

The project will create minor temporary impacts to benthic and planktonic organisms, and will create localized and temporary effects to water quality due to increased turbidity from dredging and disposal. A water quality monitoring program (including weekly measurements of salinity, pH, dissolved oxygen, temperature, and percent light transmissivity) will be implemented at sites upcurrent and downcurrent of the dredge location and at a control station outside of the dredge plume. Should monitoring indicate significant impacts to water quality in the project area, the Corps will slow the dredge cycle or, in extreme cases, deploy silt curtains to control the spread of turbidity. A water pollution prevention and control plan will also be implemented to protect against accidental spills of fuel or other hazardous materials.

In conclusion, the Commission staff **agrees** that the proposed maintenance dredging project in the Port of Los Angeles will not adversely affect coastal resources. The project will ensure safe transit of container vessels and other large ships within the federal channel in the POLA. We therefore **concur** with your negative determination made pursuant to 15 CFR 930.35 of the NOAA implementing regulations. Please contact Larry Simon at (415) 904-5288 should you have any questions regarding this matter.

Sincerely,



(for)

CHARLES LESTER
Executive Director

cc: CCC – South Coast District

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June 19, 2014

Rich Burns
Ukiah Field Manager
Bureau of Land Management
ATTN: Jonna Hildenbrand
2550 N. State Street
Ukiah, CA 95482

Subject: Negative Determination ND-0017-14 (Public access improvements on the Point Arena-Stornetta Unit of the California Coastal National Monument, Mendocino County)

Dear Mr. Burns:

The Coastal Commission staff has reviewed the above-referenced negative determination. The Bureau of Land Management (BLM) proposes to implement five public access improvement projects on the Point Arena-Stornetta Unit (Unit) of the California Coastal National Monument (CCNM). The BLM reports that visitor use at this location is increasing and that improved signage and other access-related projects are needed in order for the BLM to better serve the public and respond to safety concerns. The BLM proposes to install: (1) a CCNM entrance sign along Highway 1 adjacent to the Point Arena city hall parking lot, which would direct visitors to trails on the southern end of the Unit; (2) carsonite trail signs at trail intersections, at private property boundaries, and at locations where directions and distances to landmarks would assist the public as they explore the Unit; (3) a CCNM information kiosk at the city hall parking lot, which would provide interpretive panels, maps, and other visitor information; (4) 3.5-foot-tall wooden fencing to replace dilapidated post and wire fencing along the extreme northern end of Lighthouse Road, to keep vehicles back from the bluff edge, to delineate vehicle parking, and to improve scenic views by removing unsightly posts and wire; and (5) a picnic table on an existing concrete slab at the southern end of the Unit, adjacent to an existing trail and set back 160 feet from the bluff edge.

The Commission staff **agrees** that the proposed projects would enhance public access and recreation opportunities on the Unit and are designed and located so as not to adversely affect visual resources, environmentally sensitive habitat, or existing public access. 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".

(for) CHARLES LESTER
Executive Director