

CALIFORNIA COASTAL COMMISSION

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

**W 13****ENERGY, OCEAN RESOURCES, AND FEDERAL CONSISTENCY DIVISION REPORT**

FOR THE

JANUARY 7, 2015 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
9-14-1910-W San Diego Gas & Electric Company	Conduct a geotechnical investigation at the SDG&E electrical switchyard at the San Onofre Nuclear Generating Station (SONGS)	San Onofre Nuclear Generating Station, San Diego County
9-14-1912-W San Diego Gas & Electric Company	Conduct a geotechnical investigation at four sites along SDG&E Sycamore to Penasquitos (SX-PQ) transmission line right-of-way in the City of San Diego	City of San Diego

NEGATIVE DETERMINATIONS

APPLICANT	PROJECT	LOCATION
ND-0043-14 NOAA	Weather Tower Replacement Action: Concur, 12/19/2014	Point Arena Coast Guard Lighthouse Station Mendocino County
ND-0044-14 Department of the Navy	Pier Replacement Action: Concur, 12/19/2014	Pier 8, Naval Base San Diego



<p>ND-0045-14 Department of the Navy</p>	<p>Amphibious Training Exercises Action: Concur, 12/16/2014</p>	<p>Red, Gold, and White Beaches Marine Corps Base Camp Pendleton, San Diego County</p>
<p>ND-0046-14 NOAA</p>	<p>Pescadero Creek Lagoon Ecological Function Project Action: Concur, 12/15/2014</p>	<p>Pescadero Creek San Mateo County</p>
<p>ND-0050-14 Department of the Navy</p>	<p>Maintenance Dredging Action: Concur, 12/19/2014</p>	<p>Naval Amphibious Base Coronado, San Diego County</p>

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NOTICE OF COASTAL DEVELOPMENT PERMIT DE MINIMIS WAIVER

DATE: December 19, 2014 **PERMIT NO. 9-14-1910-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 hereby waives the requirements for a coastal development permit (CDP), pursuant to Section 30624.7 of the California Coastal Act.

Applicant: San Diego Gas & Electric Company
8315 Century Park Court
CP21E
San Diego, CA, 92123

Project Location: San Onofre Nuclear Generating Station, San Diego County.

Background & Project Description: San Diego Gas & Electric Company (SDG&E) proposes to conduct a geotechnical investigation to characterize the soil conditions at its electrical switchyard at the San Onofre Nuclear Generating Station (SONGS), in northwestern San Diego County. The geotechnical investigation is a preliminary step to adding new synchronous condensers to the existing equipment at the SONGS switchyard, and is necessary for conducting geotechnical engineering analyses and properly engineering and installing the condensers themselves. The proposed project includes only the geotechnical investigation; SDG&E will prepare a separate application for installation of the synchronous condensers at some point in the future.

The proposed geotechnical investigation would consist of drilling up to 12 exploratory borings and performing a geophysical resistivity survey at the southeast switchyard (the portion owned by SDG&E) at SONGS. The borings would be drilled using a small diameter, hollow-stem auger, deployed with either truck-mounted or small "limited access" rubber-tracked drill rigs, to depths of 20 to 60 feet below the ground surface. All borings would occur in paved or previously disturbed areas within or adjacent to the existing switchyard. When sampling and borehole logging is complete, the borings would be backfilled with the excavated material and bentonite grout, in accordance with San Diego County regulations. The geophysical survey would consist of two orthogonal resistivity soundings along the length and width of the switchyard, respectively. Individual borings would be drilled over two to six hour periods, during daylight hours. The full project is anticipated to be completed within two weeks.

Individual borings would be drilled over two to six hour periods, during daylight hours. The full project is anticipated to be completed within two weeks.

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:

- Sensitive Species & Habitat: Work will occur in previously developed and disturbed areas at the SONGS site away from wetlands or other sensitive habitat areas. Noise generated during drilling will be limited in duration, and will not extend beyond the SONGS site boundaries. No project activities will occur during the bird nesting season.
- Water Quality: The borings will not extend below +15 feet in elevation, and are not expected to encounter groundwater. Any excess soil and drill cuttings not used to backfill the boreholes will be disposed of in accordance with state and federal regulations. The work will be subject to standard Best Management Practices at the plant site meant to prevent and reduce water quality impacts.
- Visual Resources: The drill rigs used for the project will be in place temporarily, and their appearance will be compatible with the other industrial equipment at the site.
- Hazard Avoidance: Prior to drilling, the affected areas will be surveyed to determine the locations of any underground utility lines, and all areas containing underground utilities will be avoided.
- Cultural Resources: No known cultural or paleontological resources occur within the project area, and a paleontological monitor will be present during all ground disturbing activities to ensure that potential impacts are avoided.
- Public Access: Work will take place within the SONGS site in an area not subject to public access.

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 January 7-9, 2015, in Santa Monica. 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
Energy, Ocean Resources & Federal Consistency Division

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NOTICE OF COASTAL DEVELOPMENT PERMIT DE MINIMIS WAIVER

DATE: December 22, 2014 **PERMIT NO. 9-14-1912-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 hereby waives the requirements for a coastal development permit (CDP), pursuant to Section 30624.7 of the California Coastal Act.

Applicant: San Diego Gas & Electric Company
8315 Century Park Court
CP21E
San Diego, CA, 92123

Project Location: Los Peñasquitos Canyon, San Diego County.

Background: San Diego Gas & Electric Company (SDG&E) proposes to conduct geotechnical investigations to characterize subsurface conditions at four sites along its Sycamore to Peñasquitos (SX-PQ) transmission line right-of-way in the City of San Diego. The geotechnical investigations are necessary to support the final engineering design for the future installation of a new 230-kilovolt (kV) transmission line in the SX-PQ corridor. The proposed project includes only the geotechnical work; SDG&E will submit a separate CDP application for the SX-PQ 230-kV transmission line project at some point in the future. The project sites are located in the coastal zone, with one site within the LCP jurisdiction of the City of San Diego and three sites within the retained jurisdiction of the Coastal Commission. The City has requested that the Coastal Commission review the project as a consolidated permit pursuant to Section 30601.3 of the Coastal Act.

Project Description: The proposed geotechnical activities would be carried out at four separate sites on the northern rim of the Peñasquitos Creek canyon, within SDG&E's existing right-of-way through the City-owned Los Peñasquitos Canyon Preserve. The proposed sites are located on existing dirt roads and maintenance pads used by SDG&E to access its transmission towers. Exploratory boreholes would be drilled at three of the sites, and geophysical surveys would be performed at two of the sites.

The borings would be drilled using a 6 to 8-inch diameter, hollow-stem auger, deployed from a rubber-tracked drill rig (8 ft wide x 30 ft long x 30 ft tall) designed for use in limited-access areas. Borehole depths would range from 10 to 50 feet below the ground surface. Each boring would take approximately 3 to 8 hours to complete depending on soil conditions. When sampling and borehole logging is complete, the borings would be backfilled with the excavated material and grout to just above the ground surface, in compliance with local regulations.

The proposed geophysical work consists of seismic refraction surveys performed by stringing a series of vertical P-wave geophones on the ground along a linear survey line, and using a 10-pound sledge hammered against a small metal plate on the ground surface to generate seismic waves. Both the borehole and geophysical survey components of the project would require the use of several pickup trucks as support vehicles.

Project activities would be performed during daylight hours and completed by February 14, 2015. If SDG&E proposes to undertake any project activities beyond February 14, 2015, it would first seek new authorization from the Commission.

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:

- **Sensitive Species & Habitat:** Work will occur on bare ground within existing dirt access roads and maintenance pads, with no direct encroachment on sensitive habitat area. Noise generated during the borehole drilling and seismic refraction surveys will be limited in duration (i.e., less than a day at each location), with the highest noise levels restricted to the immediate project area. All project activities will be completed by February 14, 2015, in order to avoid the nesting season of the California gnatcatcher and other bird species known to occur in the area.
- **Water Quality:** The project will employ Best Management Practices to minimize sediment mobilization and impacts to water quality. No drilling will occur during rain events. One access road with poor drainage shall only be used by vehicles when the road is completely dry in order to avoid rutting and soil disturbance. Excess material generated during drilling that is not used to backfill the boreholes (e.g., soil, drill cuttings, produced water) will be disposed of in accordance with federal and state regulations, and will not be discharged to streams or ephemeral drainages. All vehicles and equipment used during the project will be refueled offsite in order to minimize the possibility of hazardous materials spills in natural areas.
- **Visual Resources:** The drill rigs used for the project will be in place temporarily and thus avoid significant impacts to scenic resources.
- **Hazard Avoidance:** Prior to drilling, the affected areas will be surveyed to determine the locations of any underground utility lines, and all areas containing underground utilities will be avoided.

- Public Access: Work will take place on SDG&E dirt access roads that are not designated as recreational trails within Los Peñasquitos Preserve, though several are used informally to access the official trail network. However, due to the short duration of the project (approximately four working days), its timing during the winter months, and the ready availability of designated recreational trails within the preserve, no significant impacts to public access and recreational will occur.

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 January 7-9, 2015, in Santa Monica. If four or more Commissioners object to this waiver, a coastal development permit will be required.

Sincerely,

CHARLES LESTER
Executive Director

By:



JOSEPH STREET
Environmental Scientist
Energy, Ocean Resources & Federal Consistency Division

CALIFORNIA COASTAL COMMISSION

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W13

DATE: January 5, 2015

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-0043-14
APPLICANT:	NOAA
LOCATION:	Point Arena Coast Guard Lighthouse Station, Mendocino Co.
PROJECT:	Weather tower replacement
ACTION:	Concur
ACTION DATE:	12/19/2014

PROJECT #:	ND-0044-14
APPLICANT:	Department of the Navy
LOCATION:	Pier 8, Naval Base San Diego
PROJECT:	Pier replacement
ACTION:	Concur
ACTION DATE:	12/19/2014

PROJECT #:	ND-0045-14
APPLICANT:	Department of the Navy
LOCATION:	Red, Gold, and White Beaches, Marine Corps Base Camp Pendleton, San Diego Co.
PROJECT:	Amphibious training exercises
ACTION:	Concur
ACTION DATE:	12/16/2014

PROJECT #:	ND-0046-14
APPLICANT:	NOAA
LOCATION:	Pescadero Creek, San Mateo Co.
PROJECT:	Pescadero Creek Lagoon Ecological Function Project
ACTION:	Concur
ACTION DATE:	12/15/2014

PROJECT #:	ND-0050-14
APPLICANT:	Department of the Navy
LOCATION:	Naval Amphibious Base, Coronado, San Diego Co.
PROJECT:	Maintenance dredging
ACTION:	Concur
ACTION DATE:	12/19/2014

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December 19, 2014

Lieutenant (jg) Chelsea Frate
NOAA Corps Liaison Officer
NOAA National Data Buoy Center
Stennis Space Center, MS 39529

Subject: Negative Determination ND-0043-14 (National Weather Service Tower, Point Arena, Mendocino County, CA)

Dear Lt. Frate:

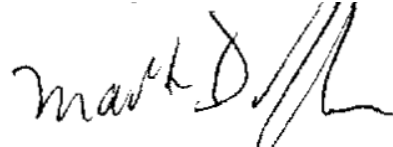
The Coastal Commission staff has reviewed the above-referenced project. NOAA proposes to install a 30-foot-tall Coastal Marine Automated Network weather observing tower at Point Arena, on property owned by the Point Arena Lighthouse Keepers (PALK), a non-profit organization which took ownership of the lighthouse property from the U.S. Coast Guard in 2000. The proposed lattice tower would replace a similar weather tower that collapsed in October 2012. The Point Arena tower is one in a series of coastal monitoring stations on the Pacific coast and is located halfway between two similar weather towers on the Mendocino County coast.

Since the early 1980s the Point Arena towers were situated immediately adjacent to the lighthouse. However, the proposed replacement tower would be installed on a new concrete foundation in the southeast corner of the PALK property and away from the historic lighthouse and associated buildings at the tip of Point Arena. As a result, the visual impacts of the replacement tower will be less than that of the previous towers. The proposed location in the southeast corner of the PALK property currently supports a number of other small structures including power poles, utility boxes, and an entrance booth. The proposed project also includes the removal of all sections of the collapsed tower that were stored on the site.

The project will not affect public access or recreation because the location of the tower is not in an area that the public uses to reach the lighthouse and public viewing areas at Point Arena. NOAA coordinated with the U.S. Fish and Wildlife Service and obtained confirmation that construction and operation of the tower would not adversely affect sensitive habitat and wildlife. NOAA is also coordinating with the State Historic Preservation Officer for the identification and protection of any archaeological resources that could be present at the tower footprint.

In conclusion, the Commission staff **agrees** that the proposed weather observing tower at Point Arena will not adversely affect coastal resources. 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,

A handwritten signature in black ink, appearing to read "Charles Lester", with a stylized flourish at the end.

(for) CHARLES LESTER
Executive Director

cc: CCC – North Coast District

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December 19, 2014

Commander James J. Cho
Public Works Officer
Naval Base San Diego
3455 Senn Road
San Diego, CA 92136-5084

Subject: Negative Determination ND-0044-14 (Replacement of Pier 8, Naval Base San Diego,
San Diego County)

Dear Commander Cho:

The Coastal Commission staff has reviewed the above-referenced negative determination for the replacement of Pier 8 at Naval Base San Diego (NBSD). The Navy states that the project is necessary in order for NBSD to support modern Navy ship classes with deep drafts and large power requirements, and will provide modern berthing, logistics, maintenance, and utility support for ships homeported in the San Diego region. The replacement pier will provide two outer berths for modern Navy vessels comparable in size to amphibious assault ships, and two inner berths for smaller ships such as guided missile destroyers. The project consists of: (1) demolishing the 50-year-old Pier 8 and disposing all pilings, debris, and other materials at an off-site location; (2) constructing a new pier at the same location using a conventional piling-supported pier design or a floating modular hybrid pier design; and (3) installation of utility infrastructure on the pier, including water, wastewater, and electric power lines. The Navy expects demolition and construction to take approximately 21 months in 2017 and 2018.

The Navy has not yet selected the pier design to be used in the Pier 8 replacement project and is requesting concurrence with both design options. The existing single-deck Pier 8 is 66 feet wide, 1,610 feet long, is supported by 2,173 timber pilings, and shades 2.44 acres of bay water. The proposed conventional pier would be constructed as a single-deck, concrete pier 117 feet wide and 1,600 feet long, would be supported by 950 concrete pilings, and would shade 4.3 acres of bay water. The proposed modular hybrid pier would consist of five 90-foot-wide, double-deck floating concrete modules constructed off-site, towed to the Pier 8 site, and connected to mooring shafts and 96 concrete pilings to create a 1,560-foot-long pier. The double-deck design would separate utilities on the lower deck from crane, vehicle, and maintenance operations on the upper deck. This floating pier design provides for a narrower pier and reduced shading of bay water (3.22 acres) compared to the conventional pier.

Under the federal consistency regulations, 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 proposed project is similar to previously concurred with consistency and negative determinations for adjacent pier replacement and construction projects at NBSD (CD-031-01 and ND-011-11).

The Navy reports that the proposed project contains and is consistent with the water quality and marine resource avoidance, monitoring, and mitigation commitments agreed to under the Commission’s concurrence with demolition of Piers 10 and 11 and construction of a single replacement pier (CD-031-01) and the Executive Director’s concurrence with the demolition of Pier 12 and construction of a replacement pier (ND-011-11). A stormwater pollution prevention plan will be implemented to minimize water quality degradation from demolition and construction activities by using site-specific best management practices, standard erosion control measures, and spill prevention and containment measures to avoid or minimize the potential for accidental release of debris or fuels during construction. Special construction features for the replacement pier would include installation of a stormwater collection system with an oil-water separator to meet current National Pollutant Discharge Elimination System permit requirements.

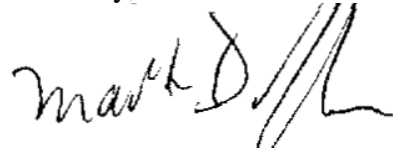
No dredging would occur with this project. Disturbance of bottom sediments during removal of existing timber pilings and installation of new concrete pilings would cause a temporary increase in turbidity in the waters adjacent to the pier. The Navy will implement turbidity control measures to ensure that resuspension of bottom sediments into the water column during construction are confined to the immediate project area. The project area does not support eelgrass beds nor does it include nesting or foraging habitat for listed species. Pile driving could temporarily disturb fish, marine mammals, and sea turtles in the immediate vicinity of the project site. To minimize potential impacts to these species, the project includes monitoring and minimization measures to avoid exposing marine mammals and sea turtles to excessive noise from pile driving.

The proposed pier would result in a small increase in bay coverage over the existing pier – 1.86 acres for the conventional pier option and 0.78 acres for the modular hybrid pier option. The Navy reports that the San Diego Bay Integrated Natural Resources Management Plan (INRMP) was updated in 2013 and concurred with by the U.S. Fish and Wildlife Service (USFWS). The Navy stated that the INRMP included an analysis of wharf shading of San Diego Bay waters and found that “newly designed Navy replacement piers and overwater structures provide different but still beneficial habitat thus having a positive benefit to the ecosystem.” Notwithstanding the increase in bay water shading, the removal from the bay of the 2,173 timber pilings that support the existing Pier 8, and the reduced number of pilings required for both replacement pier options, will significantly improve marine habitat at the project site over current conditions.

The project will not adversely affect public access or boating recreation. The pier area is currently off limits to public access and boating for military security and public safety reasons, and the replacement pier would not create additional burdens on public access or recreation. The replacement of Pier 8 with either design option would not adversely affect the visual characteristics of the area and would be compatible with adjacent piers at NBSD. The industrial nature of NBSD, when viewed from either San Diego Bay or adjacent upland areas, would remain unchanged with construction of the replacement.

In conclusion, the Commission staff **agrees** that with the monitoring, avoidance, and mitigation measures the Navy has incorporated into the proposed Pier 8 replacement project (both the conventional and modular hybrid pier design options), the project will not adversely affect coastal resources, and that with these commitments the project is similar to previously concurred with consistency and negative determinations for pier replacement projects at NBSD. 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: CCC – San Diego Coast District
U.S. Fish and Wildlife Service
National Marine Fisheries Service
U.S. Army Corps of Engineers

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December 16, 2014

Larry K. Foster
Director, Fleet Environmental
Department of the Navy
U.S. Pacific Fleet (N01CE1)
250 Makalapa Drive
Pearl Harbor, HI 96860-3131

Subject: Negative Determination ND-0045-14 (Amphibious Training Exercises at Marine Corps Base Camp Pendleton, San Diego County)

Dear Mr. Foster:

The Coastal Commission staff has reviewed the above-referenced negative determination. The Navy proposes to conduct a series of amphibious training exercises at Red, Gold, and White beaches on Marine Corps Base Camp Pendleton and in adjacent offshore waters. The Commission's Executive Director previously concurred with negative determinations for similar training exercises at these locations on Camp Pendleton and offshore waters in ND-067-00, ND-100-01, ND-016-09, and ND-019-13.

The proposed training exercises would use Navy ships, Marine Corps amphibious vehicles, landing craft air-cushioned vehicles (LCACs), military vehicles, and aircraft. The exercises include a mix of the following activities: (1) pre-deployment training and base camp establishment inland of Red and Gold beaches; (2) offshore training for offloading cargo, simulating the transfer of petroleum products from ship-to-shore, and ship-to-ship refueling; (3) littoral training for offloading cargo using temporary piers and beach landings, installation and removal of an elevated causeway on pilings, conducting LCAC operations, and ship-to-shore maneuvers across Red, Gold, and White beaches; (4) beach training for cargo offloading and distribution and amphibious assault vehicle operations; (5) inland troop movements along existing designated dirt access roads; (6) air training activities to transfer cargo, equipment, and personnel from ship-to-shore using helicopters and/or tilt-rotor aircraft, and (7) use of the Del Mar Boat Basin.

The training exercises are organized as follows:

- Joint Logistics over the Shore (JLOTS) training is expected to occur once every three years, last approximately 90 days, include 2,000 to 3,500 personnel, and involve most of the aforementioned listed activities.

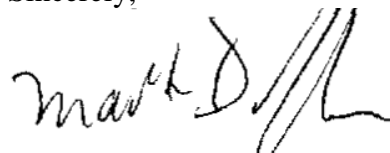
- Maritime Prepositioning Force (MPF) training is expected to occur annually, last approximately 30 days, include 600 to 1,500 personnel, and involve fewer of the listed activities.
- Field Exercise (FEX) training is expected to occur up to ten times a year, last one to two weeks, include 30 to 800 personnel, and involve even fewer of the listed activities.

The training exercises would be temporary, do not include permanent construction or site improvements, would avoid sensitive marine and terrestrial habitats, and would occur at ocean, beach, and inland sites historically used for amphibious training exercises previously concurred with by the Commission. None of the proposed training exercises would occur at Green Beach nor would they require the closure of the adjacent San Onofre State Beach or San Mateo Campground.

All of the proposed training activities would be conducted in a manner that is consistent with the Marine Corps Base Camp Pendleton *Estuarine and Beach Ecosystem Conservation Plan (2012a)* and with the *Riparian and Estuarine/Beach Ecosystems Programmatic Biological Opinion (1995)* from the U.S. Fish and Wildlife Service. These documents include numerous habitat and species protection measures and training activity restrictions that the Navy will adhere to during all training activities. Measures are incorporated into the training exercises to avoid or minimize potential impacts to marine mammals during offshore exercises and construction of the temporary elevated causeway. Ongoing consultation with the National Marine Fisheries Service pursuant to the Endangered Species Act will continue in order to protect special status species and their habitat. The Navy will also adhere to cultural resource protection measures defined in *Base Order 3500.1N Environmental Procedures in Range Regulations*, and as required after completing ongoing consultation with the State Historic Preservation Office.

The Commission staff **agrees** that the proposed amphibious training exercises at Marine Corps Base Camp Pendleton will not adversely affect coastal resources. Under the federal consistency regulations (Section 15 CFR 930.35(a)), a negative determination can be submitted for an activity “which is the same or similar to activities for which consistency determinations have been prepared in the past.” The proposed project is similar to previous military training activities previously concurred with by the Commission and the Executive Director at Marine Corps Base Camp Pendleton and at the U.S. Navy’s Silver Strand Training Complex in San Diego. 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", written over a horizontal line.

(for) CHARLES LESTER
Executive Director

ND-0045-14 (U.S. Navy)

cc: CCC – San Diego Coast District
Deb McCay, U.S. Navy Region Southwest

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December 15, 2014

Patrick J. Rutton
Southwest Region Supervisor
NOAA Restoration Center
777 Sonoma Ave., Room 219-A
Santa Rosa, CA 95404-6528

Subject: Negative Determination ND-0046-14 (Pescadero Creek Lagoon Ecological Function Project, San Mateo County)

Dear Mr. Rutton:

The Coastal Commission staff has reviewed the above-referenced project. The NOAA Restoration Center (NOAA) proposes to use hand tools to breach the Pescadero Creek Lagoon sandbar up to three times during the winter of 2014-2015 should it be necessary to protect steelhead in the lagoon. The proposed project will closely mimic sandbar breaching projects concurred with by the Executive Director in two previous negative determinations (ND-037-12 and ND-0221-13). These projects are designed to maintain sufficient water quality in the lagoon to reduce the likelihood of a fish kill as compared to when the lagoon naturally breaches. As a result of the 2012 project, no fish kills were observed in the lagoon for the first time since 2000. While the 2013 project was not implemented due to conditions in the estuary, a natural breaching subsequently took place in February 2014 and resulted in a fish kill in the lagoon.

This year NOAA again proposes to construct an approximately 200-foot-long channel from the edge of the lagoon northwest across the beach to the ocean; approximately 400 cubic yards of sand will be excavated, sidecast, and spread across the beach adjacent to the channel. The breaching of the sandbar would occur when a sand plug at the lagoon end of the channel is removed during an incoming mean high-high tide. In addition and to the extent feasible, the proposed breach will be timed to occur with a forecasted rain event in order to decrease salinity, reduce stratification, and provide oxygenated water to the lagoon. Should the sandbar reform, up to two additional manual breachings could be implemented and would follow the same procedures as the first and likely occur within 30 days after lagoon closure.

NOAA believes that absent the proposed project, the sandbar will breach due to the existing volume and elevation of the lagoon, and that the subsequent degradation in lagoon water quality will result in a fish kill. NOAA states that rapid, mixing-induced hypoxia upon breaching of the sandbar is the main cause of the historic fish kills in this lagoon. During the fall, water quality is degraded in the lagoon due to the sandbar closing off tidal flow and reduced freshwater inflow to the lagoon. In addition, a relatively high level of hydraulic head pressure exists between the perched lagoon behind the sandbar and the lower ocean surface. Once the sandbar is naturally

breached, the outgoing water velocity and resulting scouring of the lagoon floor is maximized, which facilitates the resuspension of sediments in the lagoon. The rapidly increasing biological oxygen demand of those sediments on dissolved oxygen levels in the lagoon quickly leads to the death of steelhead and other fish and marine invertebrates in the lagoon.

NOAA does not expect the proposed project to create direct adverse effects on marine resources or habitat, and in particular does not expect juvenile steelhead residing in the lagoon to be flushed out to the ocean because the velocity of the outflow during the breach is expected to be below the swimming threshold of juvenile steelhead in the lagoon. The project will slightly reduce lagoon volume and the lagoon will drain slowly to an equilibrium level. The main factor in lagoon scouring from outflow is hydraulic head; during the proposed breach, head pressure will be minimized as the breach will occur during an incoming high tide. As a result, there will be reductions in velocity, scour, resuspension of sediment, and biological oxygen demand. The project includes numerous avoidance and minimization measures and best management practices to protect sensitive habitat and species. Pre- and post-project water quality data collection (dissolved oxygen, salinity, temperature, and pH) at multiple locations and times (beginning when the sandbar forms and extending through the time the sandbar reforms and is breached naturally) is a key element of the proposed project. NOAA will submit a water quality monitoring report to the Commission upon the conclusion of the breaching event(s).

The proposed project has been authorized by the U.S. Army Corps of Engineers, and consultations with the U.S. Fish and Wildlife Service and National Marine Fisheries Service pursuant to Section 7 of the federal Endangered Species Act have been completed. NOAA will obtain a Clean Water Act Section 401 permit from the San Francisco Bay Regional Water Quality Control Board, and a Right-of-Entry permit from the California Department of Parks and Recreation (CDPR) prior to the start of construction.

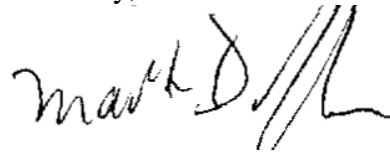
NOAA states in its negative determination that an additional goal of this project is to obtain information that may be useful in working towards the conservation and recovery of listed species and other aquatic biota dependent on a healthy aquatic ecosystem in Pescadero Marsh. The proposed project has been coordinated with the California Department of Fish and Wildlife (CDFW) and the CDPR in an effort to help evaluate, guide, and determine a long-term solution for improving the function of the lagoon ecosystem. The previous and proposed manual breaching projects are designed to help shape a long-term study currently under development by the National Marine Fisheries Service, U.S. Fish and Wildlife Service, CDFW, and CDPR for management of all species dependent upon a functioning lagoon.

In its negative determination NOAA referenced several ongoing planning efforts to address restoring the Pescadero Lagoon ecosystem, including work by the San Mateo County Resource Conservation District to address flooding in Butano Creek, and development by the State Water Resources Control Board of sediment total maximum daily loads (TMDLs) for the Pescadero and Butano watersheds, including watershed assessments and implementation plans. NOAA concluded that targeted, science-based manual breaches will protect and conserve steelhead and are necessary activities until a lagoon-wide restoration plan is developed and receives support from all of the aforementioned agencies. However, until such a restoration plan is developed and implemented, the Commission staff recommends that NOAA, after completion of the proposed

manual breaching events in the winter of 2014-2015, prepare and submit to the Commission a report which evaluates any potential impacts to the tidewater goby, California red-legged frog, and San Francisco garter snake (all of which are found in Pescadero Lagoon) which may have occurred from project implementation. This report would be in addition to the post-project water quality monitoring report which NOAA will submit to the Commission.

In conclusion, the Commission staff **agrees** that the proposed manual breaching of the sandbar at Pescadero Lagoon up to three times between December 2014 and March 2015 will not adversely affect coastal resources. The project is similar to one successfully implemented at this location in late 2012 (ND-037-12) and proposed but not implemented last year (ND-0221-13), and is designed to maintain sufficient water quality in the lagoon to reduce the likelihood of fish kills, an annual event which occurred immediately after the natural breaching of the sandbar in the 11 years prior to the 2012 project and again in early 2014. The proposed project includes avoidance and minimization measures to protect sensitive habitat and species, and pre- and post-project water quality data collection and analysis. The information obtained from this project will further assist NOAA and other federal and state agencies in developing a long-term program to eliminate fish kills while protecting other sensitive species and habitats at Pescadero Lagoon. 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: CCC – North Central Coast District
California Department of Parks and Recreation
California Department of Fish and Wildlife
San Francisco Bay RWQCB
National Marine Fisheries Service
U.S. Fish and Wildlife Service
U.S. Army Corps of Engineers
Committee for Green Foothills

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December 19, 2014

C.E. Sund, Captain
Department of the Navy
Commanding Officer
Naval Base Coronado
Box 357033
San Diego, CA 93135-7033

Attn: Deb McKay

Re: **ND-0050-14**, Navy, Negative Determination, Maintenance Dredging, Naval Amphibious Base, Coronado, San Diego Co.

Dear Captain Sund:

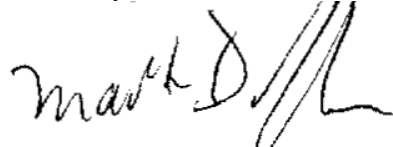
The Navy has submitted a negative determination for the dredging of approximately 34,493 cu. yds. of sediments to maintain existing dredged depths on the north and south sides of the Naval Amphibious Base, in Coronado. Disposal would be as follows:

- (1) 3,186 cu. yds. of material not suitable for ocean disposal or beneficial reuse would be disposed at an upland site (the Otay landfill), after being dewatering and temporarily stored at a confined disposal/drying facility;
- (2) 7,325 cu. yds. would be disposed as beneficial reuse, either at “homeport island” south of NAB, or at STCC boat lanes 8 & 9 (which would be nearshore disposal); and
- (3) 23,982 cu. yds. would be disposed at the EPA-designated open ocean dredge disposal site LA-5, located 5.4 nautical miles offshore of Pt. Loma.

As the Navy notes, the dredging and disposal would be similar to past Commission and Commission staff concurrences with Navy San Diego Bay maintenance dredging projects (e.g., ND-052-12, ND-011-11, CD-011-13, CD-046-07, CD-51-94, CD-64-92, CD-51-87 and CD-031-01). The Navy has tested the sediments, with the test results directing the three disposal options for material appropriate for each type of disposal. The project includes *Caulerpa taxifolia* surveys. Eelgrass impacts (approximately 0.776 acres) will be mitigated. The project will be scheduled to avoid the least tern nesting season.

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.” We **agree** that the proposed activities are the same as or similar to previous consistency and negative determinations for Navy San Diego Bay dredging activities with which we have concurred. 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, appearing to read "Mark D. Lester", with a stylized flourish at the end.

(for) CHARLES LESTER
Executive Director

cc: San Diego District Office
Army Corps, L.A. District (Robert Smith)
EPA Region IX (Allen Ota)